PART II

FEDERAL REGISTER

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Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

REVISION OF REGULATIONS

On pages 9547 and 9848 of the FEDERAL REGISTER (24 F.R. 9547, 9848) there were published notices and text of proposed revisions, rearrangements and amendments of Chapter I, Title 36 of the Code of Federal Regulations, including the National Cemetery Regulations (Part 4).

The purpose of these revisions, rearrangements and amendments is to clarify and modernize the Chapter, as well as to establish reasonable and safe regulations for boating in the national parks, monuments and recreation areas. It is intended also, to have all fees affecting the general public under one part so that they may be easily located by interested persons.

Interested persons were given 21 days within which to submit written comments, suggestions or objections with respect to the proposed amendments. Consideration having been given to all relevant matters presented, it has been determined that the following proposed amendments are hereby recommended for adoption, with editorial changes, and shall become effective upon publication in the FEDERAL REGISTER.

FRED G. AANDAHL,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

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3 National Capital Parks regulations.
4 National cemetery regulations.
5 Private lands subject to exclusive jurisdiction of the United States.
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PART 1—GENERAL RULES AND REGULATIONS

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AUTHORITY: §§ 1.0 to 1.91 issued under sec. 1–3, 39 Stat. 535, as amended, sec. 1, 47 Stat. 1420, 49 Stat. 2041, as amended, sec. 2, 49 Stat. 666, secs. 5, 2, 52 Stat. 29, 408, sec. 2, 54 Stat. 250, 55 Stat. 745, 60 Stat. 885, secs. 1, 2, 67 Stat. 495–496; 16 U.S.C. 1, 1b, 1c, 2, 3, 9a, 17j–2, 403l, 450z, 460a, 460a–2, 460a–3, 462.

§ 1.0 General provisions.

Except as otherwise provided in special regulations found in Part 7 of this chapter, the following regulations are hereby made and prescribed for the proper use, management, government, and protection of, and maintenance of good order in, all the national parks, national monuments, national military parks, national battlefield parks, national historical parks, national historic sites, national parkways and connected recreational areas, battlefield sites, and miscellaneous memorials which are, or hereafter may be, under the administrative jurisdiction of the National Park Service of the Department of the Interior. The rules and regulations in this part shall not apply to national cemeteries, National Capital Parks, or national recreation areas.

§ 1.1 Definitions.

As used in the rules and regulations in this part, unless otherwise indicated:

(a) The term "Secretary" means the Secretary of the Interior.

(b) The term "Director" means the Director of the National Park Service.

(c) The term "Regional Director" means the administrative officer in charge of a region of the National Park Service.

(d) The term "superintendent" includes a custodian, caretaker, or other

person in charge of a park or monument as hereinafter defined.

(e) The term "park" includes national parks, national military parks, national battlefield parks, national historical parks, national parkways and connected recreational areas as well as Cape Hatteras National Seashore Recreational Area.

(f) The term "monument" includes National Monuments, National Historic Sites, Battlefield Sites, and miscellaneous memorials.

§ 1.2 Preservation of public property, natural features and curiosities.

(a) The destruction, injury, defacement, removal or disturbance in any manner of any public building, sign, equipment, monument, statue, marker, or other structure, or of any tree, pine cone, flower, fruit, vegetation, rock, mineral formation, stalactite, stalagmite, phenomenon of crystallization, incrustation in any lava tube, cave, steam vent, or cone, or of any animal, bird, or other wildlife, or of any ruins, earthworks, trenches, fort, relic, or of any other public property of any kind, is prohibited.

(b) No canes, umbrellas, or sticks of any kind may be taken into caves or caverns, except by special permission of the superintendent or his authorized representative. The tossing, throwing or rolling of rocks or other material inside caves or caverns, into valleys or canyons, or down hills or mountains is prohibited.

(c) Visitors may pick and eat, but not carry out of the parks and monuments, such native fruits and berries as the superintendent may designate. Fruits and berries shall be picked by hand. The use of rakes or mechanical pickers is prohibited.

(d) The unauthorized possession of any flower or other vegetation in any park or monument is prohibited.

(e) The use or possession of any metal detecting device in the parks or monuments without special permission of the superintendent is prohibited.

§ 1.3 Camping.

(a) No camping is permitted outside the specially designated campsites, except when necessary in connection with trips to isolated sections of the parks or monuments in which case special authorization of the superintendent is required. Camping ashore when traveling by water is restricted to designated sites accessible to vessels.

(b) The superintendent may establish limitations on the time allowed for camping in any public camping areas, and upon the posting of such limitations no person, party, or organization shall be permitted to camp longer than the period limited for the particular area during any calendar year.

(c) Campers shall occupy the sites designated by the superintendent or his representative.

(d) In an emergency, the superintendent may require any camping area to be completely vacated.

(e) Campers shall keep their campsites clean. Combustible rubbish shall be burned on campfires and all other garbage and refuse of all kinds shall be placed in receptacles provided for the purpose. At new or unfrequented camps, garbage shall be burned or buried.

(f) The gathering of dead or fallen wood for fuel by campers is prohibited in those areas designated by the Superintendant by the placing of signs conspicuously at appropriate intervals in such manner as to afford the public full notice of the restriction and of the limits of the restricted area. Sequoia wood or bark shall not be disturbed for any purpose.

(g) The installation of permanent camping facilities by visitors is prohibited.

(h) The digging or leveling of the ground in any campsite without a ranger's permission is prohibited.

(i) Camps must be completely razed and the sites cleaned before the departure of campers. In dismantling camps, all material, such as poles, bark, planks, platforms, etc., used in the construction of temporary camps must be removed, and, if combustible, must be piled on the public camp woodpiles.

(j) Campers shall not leave their camps unattended for more than 48 hours without special permission of the superintendent, obtained in advance. Camping equipment left unattended in any public camping area for 48 hours or more is subject to removal by order of the superintendent, the expense of such removal to be paid by the person leaving such equipment.

(k) No camp may be established in a park or monument and used as a base for hunting outside such park or monument.

(l) No camp shall be placed within 25 feet of any water hydrant, main road, or well-defined water course.

(m) Any article likely to frighten horses shall not be hung near a road or trail used by horses.

(n) The superintendent may establish hours during which quiet must be maintained at any camp, and prohibit the running of motors at or near a camp during such hours. The word "motors" as used in this paragraph shall include motor driven power saws and motor driven electric power plants.

(o) No camping is permitted in any part of the Muir Woods National Monument, and no hikers or visitors shall enter or remain therein between one-half hour after sunset and one-half hour before sunrise.

§ 1.4 Fishing.

(a) Any person fishing in the waters of the Yosemite, Sequoia-Kings Canyon, Lassen Volcanic, Grand Canyon, Rocky Mountain, Grand Teton, Acadia, Wind Cave, Great Smoky Mountains, Shenandoah, Everglades, and Zion National Parks, and the monuments under the jurisdiction of the National Park Service, except Katmai and Glacier Bay National Monuments, must secure a sporting fishing license, as required by the laws of the State in which such park or monument, or portion thereof, is situated. Fishing in all parks and monuments shall be done in conformity with the laws of the State in which such park or monument, or portion thereof, is situated, regarding open seasons, size of fish, and the limit of catch, except as otherwise provided in the following paragraphs of this section.

(b) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in the hand, is prohibited: *Provided,* That fishing with trot and throw lines in the Green and Nolin Rivers in Mammoth Cave National Park and in the Rio Grande River in Big Bend National Park is permitted: *Provided further,* That commercial fishing in the waters of Everglades National Park and Fort Jefferson, Glacier Bay, and Channel Islands National Monuments, and the use of seines for procuring bait in Mammoth Cave National Park, are permitted under special regulations.

(c) The possession of live or dead minnows, chubs, or other bait fish, or fish eggs or the use thereof as bait, or the placing or depositing of fish eggs, fish roe, food or other substance in any waters for the purpose of attracting, collecting, or feeding fish, is prohibited except in Acadia National Park, Everglades National Park, Hawaii National Park, Fort Jefferson and Channel Islands National Monuments, the Green and Nolin Rivers in Mammoth Cave National Park, and the waters of Glacier Bay National Monument in which commercial fishing is permitted in accordance with regulations approved by the Secretary of the Interior.

(d) The digging of worms for bait is prohibited in all parks and monuments.

(e) The canning or curing of fish for the purpose of transporting them out of a park or monument is prohibited.

(f) The possession of fishing tackle or fish upon or along any waters closed to fishing shall be prima facie evidence that the person or persons having such fishing tackle or fish are guilty of unlawful fishing in such closed waters.

(g) State fishing licenses and all fish taken must be exhibited upon demand to any person authorized to enforce the provisions of the regulations in this chapter.

§ 1.5 Picnicking.

(a) The superintendent may establish reasonable limitations on the time during which any person or group of persons may use any picnicking facility when, in his judgment, such limitations are necessary for the accommodation of the visiting public.

(b) Picnicking or the eating of lunches is prohibited in restricted areas designated by the superintendent.

(c) The superintendent may prohibit the playing of games within the parks or monuments when in his opininon such activity is detrimental or inappropriate.

§ 1.6 Bathing.

(a) Bathing in any of the streams or lakes near the regularly traveled thoroughfares, without proper bathing clothes, is prohibited.

(b) Bathing in particular waters may be prohibited by the superintendent when, in his judgment, such action is necessary for the protection of bathers or of water supplies.

(c) Swimming from unanchored boats is prohibited in the park areas. All children under the age of 12 years, when in the water shall wear approved life preservers; water skiers, when in tow, shall wear life belts or life preservers.

§ 1.7 Sanitation.

(a) Campers and others shall not wash clothing or cooking or eating utensils in, or pollute in any other manner, the waters of the parks or monuments.

(b) The cleaning of fish or the washing of clothing at campground hydrants is prohibited.

(c) Garbage, papers, or refuse of any kind shall not be thrown or left on or along roads, in camping or picnic areas, or on any other park or monument lands.

(d) Contamination of watersheds, of water supplies, or of any water used for drinking purposes, is prohibited.

(e) All comfort stations shall be used in a clean and sanitary manner.

(f) The draining or dumping of refuse from any trailer, except in places or receptacles provided for such purpose, is prohibited except in certain areas where the superintendent may grant special permission.

(g) Saddle, pack, or draft animals shall not be kept in or near any camping area. No such animals shall be kept on the floor of the Yosemite Valley except in the operator's corral. All privately owned horses traveling through Glacier National Park must be stabled at the operator's corral when they are kept in the vicinity of developed areas.

(h) Garbage, litter or other waste shall not be dropped or thrown from vessels into park waters but shall be disposed of on shore at designated locations, in a manner prescribed by the superintendent.

(i) Wastes from toilets or galleys of vessels shall not be discharged within one-half mile of the low water line along any shore, or one-half mile from any water supply intake, and the superintendent may restrict any water area if a public health hazard develops or deterioration of esthetic value becomes apparent.

§ 1.8 Fires.

(a) Fires shall not be kindled near or on the roots of trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or earth. On public camp grounds the regular fireplaces constructed for the convenience of visitors must be used. Should camp be made in a locality where no such open space exists or is provided, the dead wood, moss, dry leaves, etc., shall be scraped away to the rock or earth over an area considerably larger than that required for the fire.

(b) Fires shall be lighted only when necessary and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

(c) Permission to burn on any cleanup operation within the parks or monuments must first be obtained in writing from the office of the superintendent, and in such cases as it is deemed advisable such burning will be under Government supervision. All costs of suppression and all damage caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

(d) No lighted cigarette, cigar, pipe heel, match, or other burning material shall be thrown from any vehicle or saddle animal or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material.

(e) The superintendent may, during such periods of time as he may prescribe, prohibit smoking on any lands, including roads, which he may designate.

(f) The building of fires on any lands within the parks or monuments may be prohibited or limited by the superintendent when, in his judgment, the hazard makes such action necessary.

(g) All persons making trips away from established camps are required to obtain written fire permits from the nearest ranger before building camp fires.

(h) The use of fireworks or firecrackers in the parks and monuments is prohibited, except with the written permission of the superintendent.

§ 1.9 Protection of wildlife.

(a) The parks and monuments are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, capturing or attempting to kill, wound, frighten, or capture at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited.

(b) Unauthorized possession within a park or monument of the dead body or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this section.

(c) The carcasses of animals or birds or parts thereof, unlawfully taken or possessed within a park or monument, shall be seized and shall be disposed of as the superintendent may prescribe.

(d) During the hunting season, arrangements must be made at entrance stations to identify and transport through the parks and monuments, where necessary, the carcasses of birds or animals legally killed outside the parks and monuments. Failure to make such arrangements shall be deemed a violation of this section.

§ 1.10 Feeding of animals.

The feeding, touching, teasing, or molesting of any of the native birds, mammals, or reptiles is prohibited.

§ 1.11 Firearms, etc.

(a) Explosives, traps, seines, hand thrown spears, nets (except landing nets following the capture of fish by the authorized rod and hook-and-line), and loaded or assembled firearms, including air pistols and rifles and blow guns using CO_2 gas cartridges, bows and arrows or cross bows, and other implements designed to discharge missiles in the air or under water capable of destroying animal life, are prohibited within the parks and monuments, except upon the written permission of the superintendent, or his authorized representative, unless they are adequately sealed, cased, broken down, or otherwise packed in such a way as to prevent their use while in the areas: *Provided, however,* That visitors entering the parks and monuments, or traveling through them to places beyond, shall, at entrance, report all such objects in their possession and, if required to do so in the interest of special park protective measures, surrender them to the first park or monument officer whom they encounter. Such objects as may be surrendered will be returned to the owners upon their departure from the area. The park or monument officers are not authorized to accept the responsibility or custody of any other property for the convenience of visitors.

(b) The superintendent may, in his discretion, permit the carrying of firearms by employees under his administrative jurisdiction when such possession is deemed necessary in the performance of their official duties.

(c) At the discretion of the superintendent, approved guides in charge of pack trains or saddle horse parties may be permitted to carry unsealed firearms.

(d) Authorized law enforcement officers may carry unsealed firearms within the parks and monuments while engaged in the enforcement of Federal or State laws and regulations, or when otherwise necessary in the performance of their duties.

(e) The members of the armed forces of the United States shall be permitted to carry unsealed firearms; and, in the discretion of the superintendent, members of the armed forces of the several states or friendly foreign nations may be permitted to carry unsealed firearms. The provisions of this paragraph shall be applicable only during time of war in which the United States is engaged.

§ 1.12 Radios, loud speakers, etc.

(a) The use of radios or television sets in public camps, hotels, or other buildings, or in automobiles, is prohibited when audible beyond the immediate vicinity of the radio or television set. Radios or television sets shall not be operated to the annoyance of other persons, nor so as to disturb the quiet of camps or other public places. The erection of aerials or other radio or television installation is prohibited.

(b) The use of loud speakers or public address systems, whether fixed or portable, on lands or highways in the parks and monuments is prohibited without first securing written permission from the superintendent.

§ 1.13 Dogs and cats.

(a) Dogs and cats are prohibited on the Government lands in the parks and monuments unless such animals are on leash, crated, or otherwise under physical restrictive control at all times: *Provided, however,* That the superintendent may designate areas to which dogs and cats shall not be admitted: *Provided further,* That in special cases, the Director may authorize the keeping of dogs and cats by residents in a park or monument under such conditions as he may prescribe.

(b) Stray dogs or cats running at large in the parks and monuments, and dogs found in the act of pursuing wildlife, may be killed to prevent molestation of the wildlife therein.

(c) In Mount McKinley National Park, dogs may be used for hauling, with the permission of the superintendent, and subject to the following rights and restrictions:

(1) In winter, prospectors and miners may use such dogs as may be necessary for a reasonable time for heavy hauling of supplies, fuel, timber, and other objects; thereafter each person is limited to seven dogs. In summer, no dogs are allowed except in special cases. In no case nor at any time shall litters or pups be raised in the park except by special permission of the superintendent. Persons entering the park with dogs must register at McKinley Park entrance, Katishna entrance, or the nearest ranger station, giving such information as may be required by the superintendent.

§ 1.14 Mountain climbing.

(a) In Mount McKinley, Mount Ranier, Grand Teton, Grand Canyon, and Sequoia National Parks, mountain climbing shall be undertaken only with the permission of the Superintendent.

(b) In Devils Tower National Monument, the climbing of any portion of the Tower, including the talus slopes, shall be undertaken only with the permission of the Superintendent.

(c) In Mount Rushmore National Memorial, climbing beyond the toe of the talus slope shall be undertaken only with the permission of the Superintendent.

(d) In Rocky Mountain National Park, climbing in that area on the east face of Longs Peak, known as the Diamond, shall be undertaken only with the permission of the Superintendent.

(e) The Superintendent shall not grant permission under paragraph (a) or (b) or (c) or (d) of this section until he is satisfied that all members of the party are properly clothed, equipped, and shod, are qualified physically and through previous experience to make the climb, and that the necessary supplies are carried.

(f) No individual will be permitted to start a solo climb or continue to climb alone on Mount McKinley, Mount Ranier, or any major peak in Grand Teton National Park, or Devils Tower, or beyond the toe of the talus slope in Mount Rushmore National Memorial, or on the Diamond area on Longs Peak in Rocky Mountain National Park, or major cliff or butte in Grand Canyon National Park.

(g) While the Government assumes no responsibility in connection with any kind of accident to mountain-climbing parties, all persons starting to climb Mount McKinley, Mount Rainier, or any major peak in Grand Teton National Park or Devils Tower, or beyond the toe of the talus slope in Mount Rushmore National Memorial, or on the Diamond area on Longs Peak in Rocky Mountain National Park, shall fill out an information blank furnished by the Superintendent and shall report to him upon return.

(h) When the Superintendent deems such action necessary, he may prohibit all mountain climbing in the areas referred to in paragraphs (a), (b), (c), or (d) of this section.

§ 1.15 Collection of scientific specimens.

Collection of natural objects for scientific or educational purposes shall be permitted only in accordance with written permits first had and obtained from the superintendent. No permits will be issued to individuals or associations to collect specimens for personal use, but only to persons officially representing reputable scientific or educational institutions in procuring specimens for research, group study, or museum display. Permits will be issued only on condition that the specimens taken will become part of a permanent public museum or herbarium collection, or will in some suitable way be made permanently available to the public. No permits may be granted for the collection of specimens the removal of which would disturb the remaining natural features or mar their appearance. Permits to secure rare natural objects will be granted by the Director only upon proof of special need for scientific use and of the fact that such objects cannot be secured elsewhere.

§ 1.16 Archaeologic ruins and objects.

(a) Permits for the examination of cliff ruins, the excavation of archaeological sites, and the gathering of objects of antiquity will be granted only to reputable museums, universities, colleges, or other recognized scientific or educational institutions, or to their duly authorized agents, upon application to the Secretary.

(b) Visitors shall not remove any artifacts or other objects of archaeological or historical significance from the place where they may be found, nor purchase any such objects from Indians or others. Any such objects purchased or removed in violation of this section shall be delivered to the superintendent or his representative on demand.

(c) Visitors shall not be permitted to visit the cliff dwellings in Mesa Verde National Park unless accompanied by National Park Service employees. The superintendent may waive this requirement by issuing a special written permit to persons engaged in scientific studies.

(d) Visitors shall not be permitted to enter the canyons in Canyon de Chelly National Monument unless accompanied by National Park Service employees or authorized guides. The superintendent may, in his discretion, issue permits to properly qualified persons to act as guides for the purpose of accompanying visitors within the canyons.

(e) The superintendent may prohibit the public from entering or exploring any ancient ruins or other archaeological features of the park or monument under his supervision when in his judgment such entrance or exploration will tend to destroy or endanger such ruins or features: *Provided*, That the superintendent may issue special written permits to qualified persons to visit such places for the purpose of making scientific observations upon condition that no artifacts or other objects or features shall be removed or in any way disturbed.

§ 1.17 Pack trains and saddle horse parties.

(a) No pack train or saddle horse party shall be allowed in Crater Lake, Glacier, Grand Canyon, Hawaii, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Yellowstone, Yosemite, Zion and Bryce Canyon National Parks, unless in charge of an approved guide. Guides may be required to pass an examination prescribed by the superintendent. Prospectors and miners in Mount McKinley National Park, and Death Valley National Monument, are excepted from the provisions of this paragraph.

(b) No person may pass through or camp in any of the parks, except Olympic, Yellowstone, Sequoia-Kings Canyon, Glacier, Rocky Mountain, and Grand Teton National Parks, using animals or camp equipment not hired from the authorized operators of saddle horse service, where such service is established at the park under contract with the Secretary, unless the animals and equipment belong to a member or members of the party, and unless the other members are not renting, or in any way paying for the use of the animals or equipment, and unless the owners are not making the trip under any lease arrangement, and shall satisfy the superintendent that such are the facts.

(c) To conduct or operate, or to cause to be conducted or operated, a saddle horse party into, or to act as guide for any purpose within any of the parks mentioned in paragraph (a) of this section, without the written permission of the Director or the superintendent, is prohibited; and the person or persons so conducting, operating, or causing to be conducted or operated, or acting as guide shall be subject to the penalties prescribed by law for violation of the regulations in this part.

(d) No saddle horses shall be permitted in the Muir Woods National Monument.

§ 1.18 Closing of areas.

The superintendent may, during any period of emergency, close to public use all or any part of the park, or monument.

§ 1.19 Report of accidents.

(a) All accidents of whatever nature shall be reported as soon as possible by the person or persons involved, to the superintendent or at the nearest ranger station.

(b) In the case of motor vehicle accidents, the vehicle or vehicles involved shall not be moved until the investigating officer arrives at the scene unless the vehicle or vehicles constitute a definite traffic hazard.

§ 1.20 Grazing and agricultural use.

(a) The running at large, herding, driving across, or grazing of livestock of any kind on the Government lands in the parks and monuments, or the use of such lands for agricultural purposes, is prohibited, except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service. Applications for such authori-

zation may be addressed to the superintendent of the area involved.

(b) Paragraph (a) of this section is subject to the exception contained in the act of Congress approved September 14, 1950 (64 Stat. 849), relating to grazing in Grand Teton National Park, and to the exception contained in the act of Congress approved February 14, 1931 (46 Stat. 1161), reserving to the Navajo Tribe of Indians the right to the surface use of lands in the Canyon de Chelly National Monument for agriculture, grazing, or other purposes, and to the exception contained in the act of February 26, 1919 (40 Stat. 1175) relating to the use of certain lands in Grand Canyon National Park by the Havasupai tribe of Indians.

(c) No authority may be granted for grazing in Yellowstone National Park.

§ 1.21 Dead animals.

All domestic or grazed animals that may die on any Government lands in the parks or monuments shall be removed immediately, or buried immediately by the owner or person having charge of such animals, at least two feet beneath the ground, and in no case less than one-fourth mile from any camp, thoroughfare, or source of water supply. The Superintendent or his authorized representative may issue special instructions for the disposal of dead animals.

§ 1.22 Begging, soliciting, etc.

(a) Begging is prohibited within the parks and monuments.

(b) Hitch-hiking is prohibited within the parks and monuments.

(c) Drumming and soliciting within the Hot Springs National Park for any physician, surgeon, or any person publicly professing to relieve, cure, or heal, or for any bathhouse receiving water from the Hot Springs National Park are prohibited.

§ 1.23 Disorderly conduct.

Persons who render themselves obnoxious by disorderly conduct or bad behavior, or who are under the influence of intoxicating liquor, narcotics or habit forming drugs, shall be subject to the penalties hereinafter prescribed for violation of the regulations in this part, and in addition thereto, or in lieu thereof, may be summarily removed from the park or monument by the superintendent.

§ 1.24 Abandonment of property.

The abandonment of any personal property in the parks and monuments is prohibited.

§ 1.25 Lost articles.

Persons finding lost articles should deposit them at the office of the superintendent, or at the nearest ranger station, leaving their own names and addresses, so that if the articles are not claimed by the owners within 60 days, they may be turned over to those who found them.

§ 1.26 Fraudulently obtaining accommodations.

The obtaining of food, lodging, or other accommodations in the parks and monuments, with intent to defraud, is forbidden, and such fraudulent intent will be presumed from refusal or neglect to pay therefor on demand, or payment therefor, with negotiable paper on which payment is refused, or absconding without paying or offering to pay therefor, or false or fictitious showing or pretense of baggage or other property, or surreptitious removal or attempted removal of baggage.

§ 1.27 Prospecting and mining.

Prospecting and the location of mining claims on Government owned lands within the parks and monuments are prohibited, except that in Mount McKinley National Park, Organ Pipe Cactus, Death Valley and Glacier Bay National Monument, prospecting and mining may be prosecuted under special regulations prescribed by the Secretary. The act of February 14, 1931 (46 Stat. 1162; 16 U.S.C. sec. 445a), reserves to the Navajo Tribe of Indians the mineral rights in the Canyon de Chelly National Monument.

§ 1.28 Gambling.

Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited.

§ 1.29 Motion or sound pictures.

Before any motion or sound picture, needing a script, cast, schedule, or "props", may be filmed in any park or monument, except by amateurs and bona fide news reel photographers, authority must first be obtained, in writing, from the superintendent, which authority will be granted, in the discretion of the superintendent, under special regulations prescribed by the Secretary.

§ 1.30 Advertisements.

Private notices or advertisements shall not be posted, distributed, or displayed in the parks or monuments, excepting such as the superintendent may deem necessary for the convenience and guidance of the public.

§ 1.31 Private operations.

(a) *Permits.* (1) No person, except National Park Service employees or other persons authorized to do so by law, shall reside permanently on federally owned lands within any park or monument except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(2) No person, firm, or corporation shall engage in or solicit any business or erect or maintain buildings or other structures on federally owned lands within any park or monument except when authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(3) No person, firm, or corporation shall construct, or attempt to construct, a telephone line, telegraph line, power line, or other private or public utility over, through, or under any federally owned land within any park or monument except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(4) No person, firm, or corporation shall construct, or attempt to construct, a road, trail, path, or other way, over, across, or upon any federally owned land within any park or monument except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(b) *Application for permit.* Applications for such authorization may be addressed to the superintendent of the area involved.

§ 1.32 Private lands.

(a) Owners of private lands, including Indian lands owned either individually or tribally, within the limits of any park or monument are entitled to the full use and enjoyment thereof, subject to any regulations by the Secretary specifically relating to such private lands; the boundaries of such lands, however, shall be determined, marked, and defined, so they may be readily distinguished from the park or monument lands.

(b) Private owners shall provide against trespass by their livestock upon lands of the parks or monuments, and owners and persons in charge of trespassing livestock shall be subject to the penalties provided by law for violation of the regulations in this part.

(c) Stock may be taken over the lands of parks and monuments with the written permission and under the supervision of the superintendent, but such permission and supervision are not required when access to such private lands is had wholly over roads or lands not owned or controlled by the United States.

(d) No person shall maintain a nuisance upon private lands within a park or monument.

(e) The provisions of §§ 1.7 (a), (d), and 1.8 (a), (b), (c), (d), (f), (h), are applicate to private lands within all parks and monuments.

§ 1.33 Travel on trails.

(a) Pedestrians on trails shall remain quiet when saddle or pack animals are passing.

(b) Persons traveling on the trails, either on foot or on saddle animals, shall not make short cuts, but shall confine themselves to the established trails and they shall abide by all posted official instructions on the trails.

(c) Any or all roads and trails may be closed to public use by order of the superintendent when, in his judgment, conditions make travel thereon hazardous or dangerous, or when such action is necessary to protect the parks or monuments.

(d) The loose herding of pack and saddle animals on park trails is prohibited: *Provided*, That the superintendent may permit such loose herding on hazardous trails, or portions thereof, designated by him.

(e) Motorcycles, or other motor vehicles or bicycles, shall not be operated upon trails.

§ 1.34 Travel on roads.

(a) Saddle horses, pack trains, and horse-drawn vehicles have right-of-way over motor-propelled vehicles at all times.

(b) Horseback travel over automobile roads is prohibited except where such travel is necessary for ingress to and egress from privately owned property in the parks or monuments, or incidental to authorized trail trips.

(c) Pack trains and saddle horse parties are prohibited from using oil-surfaced roads. Where, in emergencies, it becomes necessary for such pack trains or saddle horse parties to travel along oil-surfaced roads, such travel shall be confined to the unoiled shoulders of the roads.

(d) Any person or persons riding saddle animals, or leading animals of any kind through any tunnel, shall display a light upon the approach of any vehicle.

(e) No vehicle shall be operated outside the roadways or designated parking areas.

(f) Load and weight limitations shall be those prescribed from time to time by the superintendents, and shall be complied with by the operators of all vehicles using the roads of the parks and monuments. Schedules showing weight limitations for the different roads may be seen at the offices of the superintendents and at ranger stations at entrances.

(g) There shall not be operated or moved upon any road any vehicle of any kind the face of wheels or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to injure the roadway. This section applies to all rings or flanges upon guiding or steering wheels on any such vehicles, but it shall not be construed as preventing the use of ordinary detachable tire or skid chains.

(h) The superintendent may establish the hours during which any of the roads shall be open to the public, and the direction of travel thereon. During any period of emergency the superintendent may prescribe such other conditions regarding travel as may, in his judgment, appear necessary. Information regarding such hours, direction, and conditions of travel may be obtained upon application at the office of the superintendent, or at the ranger stations.

(i) In Acadia National Park, no motor vehicles are permitted on any road specially marked, designated or constructed for horse-drawn vehicular traffic except for general road and roadside maintenance, repair and construction purposes, fire fighting, or in case of accident.

§ 1.35 Automobiles operated for pleasure.

The parks and monuments where common carrier service is established under authorization and supervision of the Government are open to automobiles, operated for pleasure, including rental cars, provided the party using a rental car does not hire also the services of a driver. Admission under this section will be accorded such pleasure cars upon payment of the usual automobile permit fee for the particular park.

§ 1.36 Commercial passenger-carrying motor vehicles.

(a) The use of the Government roads by all operators of commercial passenger-carrying motor vehicles, except by those holding a contract from the Secretary for a particular park or monument, is prohibited in Yellowstone (except that portion of U.S. Highway 191 traversing the northwest corner of the park), Yosemite, Sequoia-Kings Canyon, Mount Rainier (except Highway No. 5, U.S. 410), Crater Lake, Glacier (except that portion of the park road from the Sherburne Entrance to the Many Glacier area), Rocky Mountain, Grand Teton (except that portion of Highways Nos. 89 and 187, 287 and 26 commencing at the south boundary of the park and running in a northerly direction to the east boundary of the park), Grand Canyon (except the service road branch of the south entrance road serving park headquarters and Grand Canyon Village, including the portion of the south entrance road which lies between the park boundary and said service road), Zion, Lassen Volcanic (except those portions of Highway No. 89 and Highway No. 44 crossing the northwest corner of the park outside the Manzanita Lake checking station), Mount McKinley (except that portion of the Denali Highway between the Nenana River and the McKinley Park Hotel), and Bryce Canyon National Parks, and Cedar Breaks National Monument: *Provided*, That such motor vehicles operated under the following conditions may be admitted to the foregoing parks and monuments upon a satisfactory showing to the Superintendent or his representative that the conditions of operation are within the following exceptions and upon the following conditions:

(1) Commercial passenger-carrying motor vehicles carrying only members of educational, welfare, and scientific organizations, such as boy scouts, accredited schools and universities, or bona fide mountaineering organizations shall not be deemed commercial within the meaning of this section when the trip to a park or parks is initiated, organized and directed by such organization. Motor vehicles on such trips will be admitted to the parks without charge other than the usual automobile permit fee charged at the particular park only when credentials from the head of such institution or organization are shown to the effect that the visit is initiated, organized and directed by the particular institution or organization. Motor vehicles on trips for which passengers are solicited for the profit of the organization or the transportation operator will not be admitted under this classification.

(2) Commercial passenger-carrying motor vehicles rented or chartered by an organization or group of individuals associating themselves for a general tour on which the visit to a park or parks is an incident to such tour shall not be deemed commercial within the meaning of this section, provided that the tour is not organized, advertised, or sold to passengers by an organization or an individual for personal profit. Admission to each park will be accorded to such tours upon payment of a special tour permit fee in addition to the usual automobile permit fee charged at the parks visited. The special fee shall be for one entrance to a park only.

(3) Commercial passenger-carrying motor vehicles will be admitted to Yellowstone National Park for the purpose of delivering passengers to a point of stay while in the park provided they are being operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, subject to the conditions set forth in this paragraph. After passengers have completed their stay, such motor vehicles shall leave the park by the most convenient exit station, considering their destination. Motor vehicles admitted to the park under this paragraph shall not, while in the park, engage in general sightseeing operations. Admission will be accorded such vehicles upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside the park, pursuant to contract authorization from the Secretary. The Superintendent shall have the authority to specify the route to be followed by such vehicles within the park. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee.

(4) Commercial passenger-carrying motor vehicles will be admitted to Sequoia-Kings Canyon, Mount Rainier, Crater Lake, Rocky Mountain, Grand Teton, North Rim of Grand Canyon, Zion, Lassen Volcanic, Bryce Canyon, and Mesa Verde National Parks, and Cedar Breaks National Monument provided they are being operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour. Admission will be accorded such vehicles upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside the park pursuant to contract authorization with the Secretary. Admission will be accorded such motor vehicles upon payment of a special tour permit fee at each park visited.

(b) Motor vehicles that are so large as to require motorcycle escort in order to proceed safely over park roads, or which in the judgment of the superintendent are beyond the carrying capacity or safety factor of the roads, will not be permitted in the parks, except that where they may satisfactorily enter park headquarters they may be parked there during the period of stay.

(c) All permit fees required by this section shall be in accordance with schedules contained in § 6.3 of this chapter, and shall be paid at the park entrance upon arrival.

§ 1.37 Commercial trucks.

(a) The term "commercial truck" as used in this section shall include but not be limited to trucks, station wagons,

pickups, passenger cars or other vehicles used for rental or used in transporting movable property for a fee or profit, either as a direct charge to a second party, or as an incident to other services provided to a second party or in connection with any business.

(b) The use of the government roads of any park or monument by commercial trucks, when such trucking is in no way connected with the operation of the park or monument, is prohibited, except that in emergencies special trucking permits may be issued by the superintendent, for which a fee will be charged. (The schedule of commercial trucking fees is to be found in Part 6 of this chapter.)

(c) The superintendent may, in his discretion, issue permits without charge for trucks used on Government roads in connection with private lands situated within the boundaries of the park or monument.

(d) Trucking over roads which are officially posted indicating no trucking is allowed shall be deemed a violation of this section.

§ 1.38 Motorcycles.

Motorcycles are admitted to the parks and monuments under the same conditions as automobiles, and are subject to the same regulations so far as they are applicable.

§ 1.39 House trailers.

(a) House trailers are admitted to the parks and monuments under the same conditions as automobiles, except that, in the discretion of the superintendent, they may be required to occupy separate camping areas.

(b) The superintendent may, in his discretion, exclude trailers during the winter season when camp grounds are closed.

§ 1.40 Permits.

(a) (1) No motor vehicle or house trailer may be operated without a permit in any park or monument where a permit is required. The permit must be carried in the motor vehicle or trailer for which issued and exhibited upon request to any officer authorized to enforce the regulations in this chapter. Permits are issued upon payment of the required fee for individual motor vehicles or trailers, and may not be transferred to another motor vehicle or trailer under any circumstances and are good only in the park or parks or monuments for which the permits are issued.

(2) A house trailer within the meaning of the regulation in this part is defined as a noncollapsible trailer specifically designed and built to provide sleeping accommodations for one or more persons.

(b) In Shenandoah National Park trip permits good only on the day issued may be obtained.

(c) The issuance of a yearly permit for a house trailer confers no right to occupy any camping area for a period longer than that prescribed by the superintendent.

(d) Nothing in the regulations in this part shall be construed so as to interfere with the free public use of Lee Highway or Spotswood Trail in Shenandoah National Park or U. S. Highways Nos. 66 and 260 in Petrified Forest National Monument. The provisions of §§ 1.35 to 1.40 of this part, inclusive, are not applicable to traffic on the Mineral Kings Road in Sequoia National Park, or U.S. Highway No. 410 in Mount Rainier National Park.

§ 1.41 Entrances and exits.

(a) Automobiles, trucks, and other vehicles shall enter or leave the parks and monuments only at regular designated entrances and exits, and between such hours as shall be determined by the superintendent and indicated by official signs posted for that purpose.

(b) All vehicles shall come to a full stop at entrance and exit stations.

§ 1.42 Limitations on speed.

(a) Limitations on speed of vehicles except in emergencies as provided in paragraph (b) of this section are as follows:

(1) Basic speed rule:

(i) No person shall drive a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway, the hazard at intersections, and any other condition then existing.

(ii) No person shall drive at a speed which is greater than will permit the driver to exercise full control of the vehicle and to decrease speed or to stop as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and with the duty of drivers and other persons using the highways to exercise due care.

(2) 15 miles per hour:

(i) In all campgrounds, parking areas, and places of public assemblage.

(ii) Upon that portion of the highway which passes through or borders upon a scene of emergency such as forest fires, highway repairs or construction, automobile accidents, or simliar emergency.

(iii) In any business or residence area.

(iv) Upon approaching within 50 feet and in traversing an intersection of highways where the driver's view in either direction along any intersecting highway within a distance of 200 feet is obstructed, except that when traveling upon a through highway or at a traffic controlled intersection, the district speed applies.

(3) 45 miles per hour upon all other paved public roads except when official signs are posted indicating a lesser speed limit.

(4) Whenever the Superintendent shall determine upon the basis of an engineering and traffic investigation that any prima facie speed hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist on any road or other place, the Superintendent may determine and declare a reasonable and safe prima facie speed limit thereat, not in excess of 45 miles per hour, which shall be effective on such roads or other places, when appropriate signs giving notice thereof are erected by the Superintendent on such roads or other places.

(5) Any speed in violation of the speeds designated in subparagraphs (2), (3) and (4) of this paragraph shall be prima facie evidence of violation of subparagraph (1) of this paragraph.

(b) The provisions of this section shall not apply to any vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety: *Provided*, That this paragraph shall not be so construed as to authorize any such vehicle to be driven or operated at a rate of speed in excess of that which is reasonable under conditions prevailing at such time.

(c) As used in this section, the term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway.

(d) The limitation on maximum speed prescribed in this section shall control over any special regulation contained in Part 2 or Part 7 of this chapter, except as follows:

§ 2.20 *Lake Mead, Coulee Dam and Shadow Mountain.*
§ 7.5 *Mount Rainier National Park.*
§ 7.13 *Yellowstone National Park.*
§ 7.22 *Grand Teton National Park.*
§ 7.43 *Natchez Trace Parkway.*
§ 7.58 *Cape Hatteras National Seashore.*

§ 1.43 Teams.

When teams, saddle horses, or pack trains approach, motor vehicles shall be so manipulated as to allow safe passage for the other party. In no case shall motor vehicles pass such animals on the road at a greater speed than 10 miles per hour, or in such a manner or with such noise as to frighten them.

§ 1.44 Right-of-way.

(a) Any vehicle traveling slowly on any of the roads, when overtaken by a faster moving motor vehicle, and upon suitable signal from such overtaking vehicle, shall move to the right to allow a safe passage.

(b) When automobiles going in opposite directions meet on a grade, the ascending machine has the right-of-way, and the descending machine shall be backed or otherwise handled as may be necessary to enable the ascending machine to pass in safety.

§ 1.45 Following vehicles.

Except in slow moving traffic, a vehicle shall not follow another vehicle closer than 50 feet, nor closer than 15 feet at any time. The responsibility for conformance with this section rests with the driver of the following vehicle.

§ 1.46 Brakes.

Every motor vehicle, or combination of motor vehicle and trailer, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle or combination of vehicles.

§ 1.47 Clutches and gears.

No motor vehicle shall be operated on any highway with clutch disengaged or gear out of mesh except for the purpose of changing or shifting gears or stopping or while being towed. When such vehicle is equipped with commercial free wheeling devices, such devices shall be "locked

out" when traveling upon down grades or when parking the vehicle.

§ 1.48 Lights.

(a) Every motor vehicle other than a motorcycle shall be equipped with two headlights and one or more red taillights. Trailers and semi-trailers shall be similarly equipped with red taillights. In addition every motor vehicle, semi-trailer or trailer shall carry at the rear a white light to illuminate the license plate so that the number is visible for a distance of 50 feet to the rear of such vehicle, at night.

(b) Every motorcycle shall be equipped with at least one headlight and one red taillight.

(c) Every bicycle upon a highway during the times when lights are required shall exhibit a white light on the front and a red light on the rear, except that a red reflector may be used in lieu of a rear light.

(d) Every horse-drawn vehicle upon a highway during the times when lights are required shall exhibit at least one white light on the left side in such manner as to be readily and distinctly seen from both front and rear.

(e) All lights shall be of sufficient brilliance to insure safety in driving at night. All lights shall be lighted during the period from one-half hour after sunset to one-half hour before sunrise when the vehicle is on a road, at all times when passing through unlighted tunnels, and at any other time when there is not sufficient natural light to render clearly discernible a person or object at least 200 feet ahead. Headlights shall be dimmed, depressed or tilted when meeting other vehicles, riding or driving animals, bicyclists, or pedestrians, and when approaching another vehicle from the rear.

(f) The use of red lighting devices of any character on the front of any vehicles, except highway patrol cars, highway maintenance vehicles, ambulances, fire trucks, and snow plows, is prohibited.

(g) All vehicles parked along the roadside after dark shall have "parking" and "tail" lights lighted, or approved lighted flares or reflectors placed front, rear and on the roadway side of the vehicle.

§ 1.49 Sounding horn.

The horn shall be sounded on approaching sharp curves or other places where the view ahead is obstructed, or before passing other vehicles or pedestrians, or, if necessary, before passing riding or driving animals.

§ 1.50 Muffler cut-outs.

(a) Every motor vehicle operated in the parks or monuments shall be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise.

(b) Every vessel operating in park waters which is propelled by internal combustion engines shall be equipped with a muffler so constructed as to prevent any unnecessary, intense or prolonged noise in the operation or management of such vessel and the said muffler shall not be removed, cut out, or put out of operation for any purpose whatever, except during regattas. Nothing in this section shall apply to vessels equipped with underwater exhausts or to vessels discharging water through open exhaust pipes so long as these methods of silencing the exhaust are effective.

§ 1.51 Accidents; stop-overs.

If vehicles stop because of accident or other emergency, they shall be immediately parked in such a way as not to interfere with travel on the road.

§ 1.52 Traffic signs.

Drivers of all vehicles shall comply with the directions of all official traffic signs posted in the parks and monuments.

§ 1.53 Persons prohibited from driving.

(a) No person shall drive a motor vehicle in a park or monument unless such person has a valid operator's license: *Provided,* That any person who is a resident of a State, district, territory, or foreign country which does not require the licensing of operators may drive a motor vehicle if such person is at least 15 years of age. The provisions of this paragraph shall not apply to employees of other Federal agencies or of States or territories or their political subdivisions operating motor vehicles on official business. Employees of the Department of the Interior shall be governed by the "Motor Vehicle Regulations and Safe Driving Practices of the Department of the Interior."

(b) No person who is under the influence of intoxicating liquor or narcotic drugs or tranquilizers shall drive a motor vehicle of any kind in a park or monument.

§ 1.54 Prevention of smoke, etc.

The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

§ 1.55 Excessive acceleration of engine.

The excessive acceleration of the engine of a motor vehicle while such vehicle is not moving, or is approaching a stopping place, is prohibited.

§ 1.56 Obstructing traffic.

No person shall cause or permit a motor vehicle under his control to obstruct traffic by making right or left turns from the wrong traffic lane or by weaving in and out of traffic, or by stopping on the roadway to photograph objects or animals or by driving so slowly as to interfere with the normal flow of traffic or in any other manner.

§ 1.57 Signals by hand and arm or signal device.

No person driving a motor vehicle shall fail to give proper hand signals or confuse other motorists by false signals or unnecessary extension of the hand or arm outside the vehicle. The following signals shall be given by extending the hand and arm from the left side in the following manner:

(a) Left turn. Hand and arm extended horizontally.

(b) Right turn. Hand and arm extended upward.

(c) Stop or decrease speed. Hand and arm extended downward:

Provided, however, That in lieu of such hand signals, signals may be given by a signal lamp or signal device which conveys an intelligible signal or warning to another driver approaching from the front or rear.

§ 1.58 Reckless driving.

The driving of any vehicle upon a Government road in a park or monument carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

§ 1.59 Boats.

(a) The Superintendent may require the issuance of a permit before any vessel is placed in or allowed to operate upon the waters of any park. He may specify locations and conditions under which vessels may operate and shall have authority to revoke the permit and require the immediate removal of such vessel upon failure of the permittee to comply with the terms and conditions of the permit.

(b) No vessel primarily designed and used for floating living quarters commonly referred to as a "houseboat", shall be permitted upon the waters of the National Parks, Monuments, or Recreation Areas. This paragraph shall not apply to Everglades National Park and National Capital Parks.

(c) All boats operated on park or monument waters shall conform with all provisions of Public Law 85–911 (Federal Boating Act of 1958).

§ 1.60 Discrimination in furnishing public accommodations.

The proprietor, owner, or operator and the employees of any hotel, inn, lodge, or other public accommodation within areas administered by the National Park Service are prohibited from (a) publicizing such facilities in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage of any person or persons because of race, creed, color, or national origin; and (b) discriminating against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodations, facilities, or privileges offered to or enjoyed by the general public.

§ 1.61 Aircraft.

(a) No person shall land aircraft on land or water on any Federally-owned area within any national park or monument, other than at one of the following designated landing areas:

(1) ***Mount McKinley National Park, Alaska.*** McKinley Park Station Airport, located in Sections 3 and 4, Township 14 South, Range 7 West, and Sections 33 and 34, Township 13 South, Range 7 West, Fairbanks Meridian.

(2) ***Death Valley National Monument, California.*** Death Valley Airport, located in W½ Section 16 and NW¼ Section 21,

Township 27 North, Range 1 East, San Bernardino Base and Meridian.

(3) *Glacier Bay National Monument, Alaska.* The entire water area of the monument, except Adams Inlet and any of the lakes within the Monument; provided, however, landings and takeoffs shall not be made on beaches or tidal flats or within one nautical mile of any tidewater glacier in the monument. If authorized by the Superintendent, helicopters may land at selected sites where deemed essential in the conduct of prospecting and mining activities.

(4) *Grand Teton National Park, Wyoming.* Jackson airport, located in SE¼ SE¼ Section 10, SE¼ and S½SW¼ Section 11, S½ and NW¼ Section 14, NW¼NE¼ and E½NE¼ Section 15, Township 42 North, Range 116 West, 6th Principal Meridian.

(5) *Katmai National Monument, Alaska.* The entire land and water area of the Monument during the period from May 15 to September 15. Planes on official business for the State of Alaska may land within the Monument at any time.

(6) *Fort Jefferson National Monument, Florida.* The waters within a radius of one nautical mile of the fort situated on Garden Key, but approaches, landings and take-offs shall not be made within 300 yards of the nesting grounds of summer tern colonies. Seaplanes may be moored or brought up on land only on the northwest beach and the beach between the coaling docks, both at Garden Key.

(7) *Isle Royal National Park, Michigan.* The coastal waters of Lake Superior, Rock Harbor, Tobin Harbor, Duncan Bay, Amygdaloid Channel, McCargo Cove, Todd Harbor, and Siskiwit Bay.

(b) The provisions of this section shall not be applicable to aircraft (1) engaged on official business of the Federal Government, (2) used in emergency rescue in accordance with the directions of the officer in charge of the park or monument, or (3) forced to land due to unforeseeable circumstances beyond the control of the operator.

§ 1.62 Impounding of animals.

(a) Livestock and dogs trespassing on any lands of the United States in a National Park Service area may be impounded by the superintendent in charge and shall be disposed of in accordance with State statutes insofar as the same may be applicable. In the absence of applicable State statutes the animals shall be disposed of in accordance with this section.

(b) If the owner is known, prompt written notice of the impounding will be served upon him, and in the event of his failure to remove the impounded animal within five (5) days from delivery of such notice, it will be sold or otherwise disposed of as prescribed in this chapter.

(c) If the owner is unknown, no sale or other disposition of the animal shall be made until at least fifteen (15) days have elapsed from the date that a notice of the impounding is first published in a newspaper of general circulation in the county in which the trespass occurs and posted at the county courthouse.

(d) Regional directors and superintendents are hereby authorized to order the publication of such notices in newspapers by direct transmittal to the publisher of the standard form of advertising order approved by the Comptroller General.

(e) The notice shall state when and where the animal was impounded; shall describe it by brand or earmark, or both, or, in the absence of such distinguishing marks, by such other means as are necessary reasonably to identify such animal; shall specify the time and place it will be offered at public sale to the highest bidder in default of redemption by the owner on or before that date; and shall reserve the right of the official conducting the sale to reject any and all bids so received.

(f) Prior to such sale, the owner may redeem the animal by submitting proof of ownership and paying all expenses of the United States for capturing, advertising, pasturing, feeding, and impounding, and the amount of damage to any National Park Service property injured or destroyed by or through such trespass. Upon the sale of any animal in accordance with this section, the regional director or superintendent shall issue a certificate of sale.

(g) If an animal impounded under this section is offered at public sale and no bid is received or if the highest bid received is in an amount less than the amount of the claim of the United States or of the officer's appraised value of the animal, whichever is the lesser amount, such animal may, in the discretion of the superintendent be sold at private sale for the highest amount obtainable, or be condemned and destroyed or converted to the use of the United States if of value for that purpose.

(h) In determining the claim of the Government in all livestock trespasses on National Park Service areas, the value of forage consumed shall be computed at the daily, weekly, monthly, or yearly commercial rates prevailing in the locality for the class of livestock found in trespass. In addition, the claim shall include damages to National Park Service property injured or destroyed by trespassing livestock and dogs, the expenses incurred in impounding, sale, or other disposition of such animals, and the pro rata salary of Service employees for the time spent and the expenses incurred in and about the investigations, reports, and settlement or prosecution of the case.

(i) When the amount received in the sale of the animal either at auction or private sale, or when the appraised value of the animal in case it is converted to the use of the Government, is insufficient to meet the amount of the Government's claim, or when it is necessary to destroy the impounded animal without benefit to the Government, the facts shall be fully reported to the Director for appropriate action to obtain full satisfaction of the Government's claim.

§ 1.63 Public meetings and speeches.

(a) Public meetings and assemblies, the making of speeches, and the expression of views, publicly, will be permitted within a park or monument only if an official permit therefor be first obtained from the Superintendent. The Superintendent shall issue a permit designating the site to be used, except in the following circumstances: (1) When a prior application for the same time and place has been made which has been or will be granted; (2) when, in his judgment, such a meeting, assembly, or speech would be contrary to the purposes for which the park or monument is administered; or (3) when, in his judgment, the use of the park or monument at the time and in the manner requested would interfere or conflict with the comfort, convenience, and interest of the general public.

§ 1.64 Tampering with a parked motor vehicle.

No person shall tamper with, or attempt to enter or start, or move or cause to be moved, a parked motor vehicle not lawfully under his control. This section shall not apply to employees of the National Park Service or other employees of the Federal Government or duly authorized officials, in connection with their official duties.

§ 1.91 Penalties.

(a) Any person who violates any provision of the rules and regulations in this chapter, or as the same may be amended or supplemented, in regard to any national park or monument not specified in paragraph (b) or (c) of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $500 or imprisonment for not exceeding 6 months, or both, and be adjudged to pay all costs of the proceedings.

(b) Any person who knowingly and willfully violates any provision of the rules and regulations in this chapter, or as the same may be amended or supplemented, in regard to any of the national military parks, battlefield sites, national monuments, or miscellaneous memorials transferred to the jurisdiction of the Secretary of the Interior from that of the Secretary of War by Executive Order No. 6166, June 10, 1933, and enumerated in Executive Order No. 6228, July 28, 1933, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $100 or by imprisonment for not more than 3 months, or by both such fine and imprisonment.

(c) Any person violating any provision of the rules and regulations in this chapter, or as the same may be amended or supplemented, in regard to any national historic site shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $500 and be adjudged to pay all costs of the proceedings.

PART 2—GENERAL RULES AND REGULATIONS; NATIONAL RECREATION AREAS

Sec.

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AUTHORITY: §§ 2.1 to 2.40 issued under sec. 3, 39 Stat. 535, as amended, 60 Stat. 885; 16 U.S.C. 3, 17j–2.

§ 2.1 General provisions.

(a) The regulations in this part shall be applicable to the following National Recreation Areas:

(1) Lake Mead National Recreation Area, Arizona and Nevada, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, Department of the Interior, pursuant to a memorandum of agreement between the National Park Service and the Bureau of Reclamation, approved October 13, 1936, as amended by supplemental agreement between said two agencies, approved July 18, 1947, and as further detailed in a cooperative agreement between the National Park Service and the Bureau of Indian Affairs approved November 11, 1937.

(2) Coulee Dam National Recreation Area, Washington, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, Department of the Interior, as detailed in a memorandum of agreement among the three agencies, approved December 18, 1946.

(3) Shadow Mountain National Recreation Area, Colorado, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation and the Bureau of Land Management, Department of the Interior, as detailed in a memorandum of agreement between the three agencies approved August 3, 1955.

(4) Glen Canyon National Recreation Area, Arizona and Utah, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation, Department of the Interior, pursuant to a memorandum of agreement dated April 18, 1958, between the two agencies approved May 17, 1958, by the Commissioner of the Bureau of Reclamation and June 9, 1958, by the Acting Director of the National Park Service.

(b) This part, however, shall not be applicable to any of the activities of the Bureau of Reclamation, its officers, employees, agents, or contractors in connection with the construction or operation and maintenance of the works of the respective reclamation projects directly associated with any of the areas mentioned in this section.

(c) This part shall not apply to or on any of the trust or restricted Indian Lands, either tribally or individually owned, within any of the above-described areas.

(d) Wherever in this part the Superintendent is authorized to prohibit or restrict certain actions by the public in an area designated by him, he shall inform the public of the prohibited or restricted action by posting official signs and shall indicate the limits of the restricted area on a map which shall be available for public inspection in the office of the Superintendent. The posting of official signs shall be accomplished by placing them conspicuously at appropriate intervals in such manner as to afford the public full notice of all restrictions and of the limits of restricted areas.

§ 2.2 Definitions.

As used in the regulations in this part, unless otherwise indicated:

(a) The term "Secretary" means the Secretary of the Interior.

(b) The term "Director" means the Director of the National Park Service.

(c) The term "Regional Director" means the administrative officer in charge of a region of the National Park Service.

(d) The term "Superintendent" means the administrative officer in charge of a national recreation area to which the regulations in this part are applicable, or his authorized representative.

(e) The term "areas" means the national recreation areas to which the regulations in this part are applicable.

(f) (1) The term "Lake Mead National Recreation Area" means the property owned by the United States, including the water surface of Lake Mead and Lake Mohave, within that portion of the Boulder Canyon Project which is administered by the National Park Service, shown outlined in green on a map thereof (Drawing by Thomas 8–3–49, Division of Landscape Architecture, Region Three, National Park Service, Department of the Interior), a copy [1] of which shall be filed with the regulations in this part with the Office of the Federal Register, and a copy of which shall be kept in the office of the Superintendent for public inspection.

(2) The term "Coulee Dam National Recreation Area" means the property owned by the United States, including the water surface of Roosevelt Lake, within that portion of the Columbia Basin Project which is administered by the National Park Service, shown outlined in green on the set of maps comprising 4 sheets numbered RA–CD–7001, 2, 3, and 4, dated April 15, 1946, a copy [1] of which shall be filed with the regulations in this part with the Office of the Federal Register, and a copy of which shall be kept in the office of the Superintendent for public inspection. Nothing contained in this part, however, shall be construed as, in any way, conflicting with the paramount rights of the Indians of the Spokane and Colville Reservations to use for hunting, fishing, and boating purposes, the areas set aside by the Secretary of the Interior pursuant to the act of June 29, 1940 (54 Stat. 703), which areas are designated on the above-mentioned maps as the Spokane Indian Zone and the Colville Indian Zone, respectively.

(3) The term "Shadow Mountain National Recreation Area" means the property owned by the United States, including the water surface of Granby Reservoir and Shadow Mountain Lake, within that portion of the Colorado-Big Thompson Project which is administered by the National Park Service pursuant to a memorandum of understanding between the National Park Service, Bureau of Land Management and the Bureau of Reclamation, as shown by Drawing No. RS/SMGR–7100C, dated September 27, 1954, attached to the memorandum of understanding as "Exhibit A," [1] a copy of which shall be filed with the regulations in this part with the Office of the Federal Register, and a copy of which shall be kept in the office of the Superintendent for public inspection.

(4) The term "Glen Canyon National Recreation Area" means the property owned by the United States, including the unimpounded and impounded water surface of the Colorado and San Juan Rivers legally described in the three withdrawals made for the Glen Canyon Unit, Colorado River Storage Project, Published in the FEDERAL REGISTER on June 22, 1954, pp. 3799, 3800 and 3801 and May 24, 1956, p. 3462. Portions of these withdrawn lands needed for construction activities by the Bureau of Reclamation are excepted.

(g) The term "commercial vessel" shall include every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water, which is kept or used for rental or for carrying passengers for hire or used in transporting moveable property for a fee or profit, either as a direct charge to a second party, or as an incident to other services provided to a second party, or in connection with any business.

(h) The term "private vessel" shall include every description of watercraft, other than a seaplane on the water,

[1] Filed with the Federal Register Division. See 17 F.R. 6044, July 4, 1952.

used or capable of being used as a means of transportation on water, which may be placed on or operated upon the waters of the areas for the private recreational use of the owner or operator, and for which no fee or other charge is made by any person, firm or corporation in connection with the use thereof on the waters of the areas.

(i) The term "water-borne vessel" shall include private and commercial vessels as defined in this section.

§ 2.3 Camping.

(a) Camping, other than from vessels, in Lake Mead and Coulee Dam Recreation Areas is permitted only in designated areas, except by written authorization of the superintendent. In Shadow Mountain Recreation area all camping is restricted to designated camp areas.

(b) The superintendent may establish limitations on camping and upon posting of such limitation no person shall camp for a period longer than that specified for the particular area. Notice of such limitation shall be posted in a conspicuous place at the campground.

(c) Overnight camping, other than from vessels, is specifically prohibited in picnic areas, on swimming beaches, in areas adjacent to concession developments, or in any area not designated by the superintendent.

(d) Camping from vessels is limited to 7 days at any one location, except at Coulee Dam Recreation Area where no limit is prescribed. All sanitary facilities shall be established above the high water line of the lake. The campsite shall be restored to its natural state when the camp is abandoned. All refuse shall be returned to a boat landing and deposited in refuse containers.

§ 2.4 Picnicking.

Picnicking is permitted in the areas. The Superintendent may, however, prohibit picnicking within designated portions of the areas and may establish reasonable limitations on the length of time any person or group of persons may use any picnicking facility when, in his judgment, such limitations are necessary for the accommodation of the visiting public.

§ 2.5 Hunting and trapping.

(a) Hunting and trapping will be permitted in accordance with all applicable Federal, State, and local laws for the protection of wildlife, except in developed and/or concentrated public use areas designated by the Superintendent: Portions of the areas in which hunting and trapping are not permitted will be marked on the ground and designated on a map of the area which will be available for inspection in the office of the Superintendent.

§ 2.6 Fishing.

(a) Fishing is permitted within the areas in accordance with all applicable Federal, State, and local laws for the protection of fish and other aquatic life, except that in Lake Mead National Recreation Area fishing is prohibited in Black Canyon within limits posted by appropriate official signs or markers adjacent to Hoover Dam and within limits similarly posted adjacent to Davis Dam.

(b) Fishing in designated harbor or mooring areas; from or within 200 feet of any public raft or float designated for water sports, is prohibited.

§ 2.7 Swimming and bathing.

(a) Swimming and bathing are permitted, except in waters designated by the Superintendent as waters in which such activities are prohibited in the interest of public health and safety.

(b) Swimming from unanchored boats is prohibited. All children under 12 years, when in the water, and water skiers when in "tow" shall wear approved life preservers.

§ 2.8 Firearms and explosives.

The carrying of loaded firearms or explosives in developed and/or concentrated public use areas designated by the Superintendent is prohibited. In all other areas firearms or explosives shall not be used in a manner so as to endanger persons or property.

§ 2.9 Fires.

(a) Due diligence shall be exercised in building and putting out fires to prevent damage to trees and vegetation and to prevent forest and grass fires. In areas provided with such facilities, the fireplaces constructed for the convenience of visitors must be used. The building of fires on any lands within the areas may be prohibited or limited by the Superintendent by the posting of adequate official signs when the hazard makes such action necessary.

(b) Permission to burn on any cleanup operation within the area must first be obtained, in writing, from the Superintendent, and in such cases as it is deemed advisable, such burning will be under Government supervision. All costs of suppression and all damages caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

§ 2.10 Public property; miscellaneous provisions.

(a) The willful destruction, injury, defacement, or removal of public property is prohibited.

(b) The Superintendent may permit the collection or removal of natural objects.

(c) The Superintendent or other officer having authority to grant such authorization may, upon such terms and conditions as are deemed by him to be adequate to protect the interests of the United States, grant permits for the removal of sand, gravel, or building materials, and make reasonable charges therefor.

§ 2.11 Sanitation.

(a) No garbage, papers, cans, bottles, or rubbish of any kind shall be thrown or dumped in the waters of the areas or along the roads, in picnicking or camping sites, or beaches, or on any other lands of the areas, but shall be burned or buried, or disposed of at points or places designated for the disposal thereof.

(b) Contamination of watersheds or of any water used for drinking purposes is prohibited.

(c) All comfort stations shall be used in a clean, sanitary and orderly manner.

(d) Saddle, pack, or draft animals shall not be kept in, or within 300 feet of any campgrounds.

(e) Wastes from toilets or galleys on water-borne vessels shall not be discharged within one-half mile of boat landings, moorings, or other habitated facilities, except that at Coulee Dam Recreation Area, wastes of any kind may not be discharged into the lake.

(f) The drainage or dumping of refuse from any trailer, except in places or receptacles provided for such purposes, is prohibited.

(g) Garbage and refuse of all kinds from lake shore campsites shall be returned to the established boat harbor areas and deposited in receptacles provided for the purpose.

(h) The cleaning of fish is prohibited in or around designated public use areas except at authorized fish cleaning facilities when provided.

§ 2.12 Disorderly conduct.

(a) Persons who render themselves obnoxious by disorderly conduct, bad behavior, or indecent exposure shall be subject to the penalties prescribed by law for violation of this part and in addition thereto, or in lieu thereof, may be summarily removed from the areas by the Superintendent.

(b) No person who is under the influence of intoxicating liquors or narcotic drugs shall operate a water-borne vessel, aircraft, or motor vehicle of any kind within the areas.

§ 2.13 Pets.

Dogs, cats, and other pets must be under physical restrictive control at all times when in developed and/or concentrated public use areas designated by the Superintendent. Such pets shall not be permitted in public eating places or on swimming beaches at any time.

§ 2.14 Aircraft.

(a) No person shall land aircraft on any water or land surface within the areas, other than at one of the following designated landing sites:

(1) *Lake Mead National Recreation Area, Arizona and Nevada.* (i) The entire surface of Lake Mead, except that no aircraft shall be permitted to land or take off within 500 feet of public bathing beaches, boat docks, floats, piers, ramps, or water control structures, or within Black Canyon above Hoover Dam.

(ii) Temple Bar landing strip located at approximate latitude 36 degrees north, approximate longitude 114 degrees 19 minutes west.

(iii) Pierce's Ferry landing strip located at approximate latitude 36 degrees 03 minutes north, approximate longitude 114 degrees 05 minutes west.

(iv) Davis Dam landing strip located in Sections 30 and 31, Township 21 North, Range 21 West, Gila and Salt River Meridian, Arizona.

(v) Entire surface of Lake Mohave, except that no aircraft shall be permitted to land or take off within 500 feet of public bathing beaches, boat docks, floats,

piers, ramps, or water control structures or within 10 miles of Hoover Dam.

(vi) "Cottonwood" landing strip, located at approximate latitude 35 degrees 27 minutes north, approximate longitude 114 degrees 30 minutes west.

(2) *Coulee Dam National Recreation Area, Washington.* The entire surface of Roosevelt Lake, except that no aircraft shall be permitted to land or take off within 500 feet of public bathing beaches, boat docks, floats, piers, ramps, or water control structures.

(3) *Glen Canyon National Recreation Area, Arizona and Utah.* (i) The entire surface of Glen Canyon Reservoir except that no aircraft shall be permitted to land or take off within 500 feet of public bathing beaches, boat docks, floats, piers, ramps, water control structures, or within 2 miles of Glen Canyon Dam.

(ii) Wahweap landing strip located in section 2, Township 4IN, Range 8E, Arizona.

(iii) Existing landing strips at Hite, Utah and Red Canyon, Utah may be used until they are inundated by the filling of Glen Canyon Reservoir.

(b) The provisions of this section shall not be applicable to aircraft (1) engaged on official business of the Federal Government, (2) used in emergency rescue in accordance with the directions of the officer in charge of the area, or (3) forced to land due to unforeseeable circumstances beyond the control of the operator.

§ 2.15 Accidents.

(a) The operator of any vessel or vehicle involved in an accident shall:

(1) Immediately stop and render such assistance as may be reasonably necessary.

(2) Furnish to any person injured, and to the owner of the vessel or vehicle involved in the accident, his name, address, and a full identification of the vessel or vehicle he is operating, and the name and address of the owner thereof.

(3) Report the accident to the Superintendent or his authorized representative as soon as possible.

§ 2.16 Grazing and agricultural use.

The running at large, herding, driving across, or grazing of livestock of any kind on the Government lands in the areas, or the use of such lands for agricultural purposes, is prohibited, except where written authority therefor has been granted by the Superintendent or under a valid lease from the United States.

§ 2.17 Private and commercial uses.

(a) No person, other than employees of the National Park Service, shall reside permanently in the areas, except in accordance wtih the provisions of a permit or other written agreement with the United States authorizing such use.

(b) No person, firm, or corporation, or their represenatives, shall engage in or solicit any business in the areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States.

(c) No person, firm, or corporation shall erect, construct, or attempt to erect or construct a building, boat dock, road, trail, path, or other way, telephone line, telegraph line, power line, or other private or public utility, upon, across, over, through, or under any federally owned lands within the areas, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

§ 2.18 Advertisements.

(a) Private notices or advertisements shall not be posted, distributed, or displayed in the areas, except such as the Superintendent may deem necessary for the convenience and guidance of the public.

(b) Advertising signs are prohibited aboard any vessel within the areas.

§ 2.19 Closing of area.

The Superintendent, in his discretion, may close to public use any part of the areas during any period of emergency endangering life or property.

§ 2.20 Vehicles.

(a) Subject to the limiting provisions of this section and such special regulations as may be issued to govern a particular area, motor vehicles, trailers, and other vehicles entering the areas shall be operated in accordance with the applicable State laws and regulations then current within the particular section of the area in which the vehicle is being operated.

(b) Drivers of all vehicles operated within the areas shall comply with the directions of all official traffic signs posted in an area.

(c) Load and weight limitations shall be those prescribed and posted from time to time by the Superintendent, and such limitations shall be complied with by the operators of all vehicles using the roads of the areas. Schedules showing load and weight limitations for the different roads within the areas may be seen at the office of the Superintendent and at ranger stations at entrances to the areas.

(d) No vehicle shall be operated off of established roads except by written authorization of the Superintendent.

§ 2.21 Houseboats.

No waterborne vessel, primarily designed for living quarters or used for that purpose shall be placed in or operated on the waters of the areas without written authorization of the Superintendent.

§ 2.22 Vessels, private.

The superintendent may require the issuance of a permit before any vessel is placed in or allowed to operate on the waters of the areas. He may specify locations and conditions under which vessels may operate, and shall have the authority to revoke the permit and require the immediate removal of such vessel upon failure of the permittee to comply with the terms and conditions of the permit.

§ 2.23 Vessels, commercial.

No commercial vessel shall be launched or docked at any point on the federally owned shorelands surrounding the waters of the areas or make use of any launching or docking facility within the areas, except as authorized by permit, contract, or other written agreement with the United States.

§ 2.24 Restricted waters.

(a) Except to effect rescue or unless otherwise specifically authorized, no water-borne vessel shall be operated within any waters zoned and marked as migratory bird rest waters or for related wildlife uses, including waters zoned and marked for fish culture purposes

(b) No motor vessel shall be permitted to approach within 500 feet of any designated beaches, except at Coulee Dam Recreation Area where the approach limit is 200 feet, and except to effect rescues.

(c) No water-borne vessel shall approach within 200 feet of any dam or other restricted engineering works within the areas, except to effect rescue: *Provided,* That in Lake Mead National Recreation Area no motor vessel shall approach Hoover or Davis Dams closer than the limits posted by appropriate official signs or markers.

(d) The Superintendent, in his discretion, may exclude the operation of waterborne vessels within any designated waters when such action is necessary to protect life and property. Such restricted areas shall be defined by booms or markers and shall be designated on a map of the restricted portions, copies of which shall be posted at all public docks for convenient inspection.

(e) No person or operator of any type of waterborne vessel shall at any time attach a vessel to, or interfere with any navigational reef marker or aid within the waters of the areas.

(f) The provisions of this section shall not apply to any boats operated for official use by any agency of the United States, or of the States in which the waters within a particular area are situated.

(g) In Glen Canyon National Recreation Area no waterborne vessel shall approach Glen Canyon Dam closer than the limits posted by appropriate official signs or markers.

§ 2.25 Speed of water-borne vessels.

No person shall operate a motor vessel—

(a) In a manner which unnecessarily interferes with the free and proper use of the navigable waters of the United States or unnecessarily endangers other vessels therein, or the life and limb of any person.

(b) At a rate of speed greater than will permit him, in the exercise of reasonable care, to bring the motor vessel to a stop within the assured clear distance ahead.

(c) With any person or persons riding or sitting on either the starboard or port gunwales thereof or on the decking over the bow.

(d) Or be in actual physical control of same while under the influence of intoxicating liquor, narcotics or habit-forming drugs, or shall the owner or operator of any vessel authorize or knowingly permit the same to be operated by any other person under the influence of intoxicating liquors, narcotics or habit forming drugs.

(e) In excess of five miles per hour in designated harbors.

(f) In excess of twenty miles per hour within two hundred feet of the shoreline or reefs.

§ 2.26 Obstructions.

Unless otherwise specifically authorized, no log boom, pier, dock, fence, pile, anchorage, or other obstruction shall be installed in the waters of the areas without a permit therefor issued by the Superintendent designating the place and manner of its installation.

§ 2.27 Compliance with Federal laws and regulations.

Nothing contained in the regulations in this part shall relieve any water-borne vessel, the owner, or the operator thereof, from the obligation to comply with the applicable laws of the United States and the rules and regulations of the United States Coast Guard or other Federal agencies operative within the areas.

§ 2.28 Discrimination in furnishing public accommodations.

The proprietor, owner, or operator and the employees of any hotel, inn, lodge, or other public accommodations within the areas are prohibited from (a) publicizing such facilities in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage of any person or persons because of race, creed, color, or national origin; and (b) discriminating against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodations, facilities, or privileges, offered to or enjoyed by the general public.

§ 2.29 Reckless driving.

The driving of any vehicle upon a Government road or public use area in a national recreation area carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

§ 2.30 Abandonment of property.

(a) The abandonment of personal property in national recreation areas is prohibited.

(b) Any personal property left unattended for a period in excess of 72 hours is subject to removal by order of the Superintendent or his authorized representative; the expense of such removal shall be paid by the person leaving such property.

§ 2.31 Lost articles.

(a) Lost articles or money found in National Recreation areas, shall be turned in immediately at the office of the Superintendent or at the nearest Ranger Station .

(b) The United States is not responsible for any losses on, or damage to vessels in the areas.

§ 2.32 Relics.

Relics, artifacts, and other articles of historic or archeologic interest found on the Government land are Government property and must, if removed from the place where they are found, be deposited with the Superintendent or at the nearest ranger station.

§ 2.33 Tampering with a parked motor vehicle.

No person shall tamper with, or attempt to enter or start, or move or cause to be moved, a parked motor vehicle not lawfully under his control. This section shall not apply to employees of the National Park Service or other employees of the Federal Government or duly authorized officials, in connection with their official duties.

§ 2.34 Water skiing.

(a) Water skiing is permitted during daylight hours only, on the waters of the areas,

(1) There must be two competent persons in the boat, with one acting as observer when a skier is in "tow".

(2) The direction of all skiing and towing of skiers shall be counter clockwise.

(3) Skiers must wear accepted type ski belts or jackets.

(b) Water skiing is prohibited:

(1) Within 500 feet of harbors, swimming beaches, and mooring areas, or within 100 feet of any person swimming outside a designated swimming area.

(2) In main channels of the lakes and in any areas so posted by the Superintendent.

§ 2.35 Navigation of waterways.

No person shall operate any vessel in a manner which shall unreasonably interfere with other vessels or with the free and proper navigation of the waterways of the areas. Anchoring in heavily traveled channels or main thoroughfares shall constitute such interference if unreasonable in the prevailing circumstances.

§ 2.36 Launching of vessels.

The Superintendent may require the owner of a vessel to obtain a permit before the vessel is launched on Lake Mead or Lake Mohave.

§ 2.37 Overnight accommodations.

No person or persons shall stay overnight on a vessel moored in any designated mooring area without written authorization of the Superintendent.

§ 2.38 Muffler cut-outs.

Every vessel operating in or on the waters of the areas which is propelled by an internal combustion engine or engines, shall be equipped with a muffler or mufflers so constructed as to prevent any intense or prolonged noise in the operation or management of such vessel and the said muffler or mufflers shall not be removed, cut down, or put out of operation for any purpose whatever, except during periods of regattas and upon authorization of the Superintendent. Nothing contained in this section shall apply to vessels equipped with underwater exhausts or to vessels discharging water through open exhaust pipes so long as these methods of silencing the exhaust are effective.

§ 2.39 Trailers.

Wheels, except for making repairs, shall not be removed from trailers in the areas.

§ 2.40 Use of Government-owned docks, piers and floats.

Government-owned docks, piers and floats shall be used for loading and unloading of vessels, except in emergencies. The use of such facilities for any other purpose is prohibited except upon written authorization of the Superintendent or his authorized representative.

PART 3—NATIONAL CAPITAL PARKS REGULATIONS

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AUTHORITY: §§ 3.1 to 3.101 issued under sec. 6, 30 Stat. 571, secs. 1–3, 39 Stat. 535, as amended, sec. 16, 43 Stat. 1126, as amended, 62 Stat. 81, secs. 1, 2, 67 Stat. 495, 496; 8 D.C. Code 143, 16 U.S.C. 1, 1b, 1c, 2, 3, 40 D.C. Code 613.

§ 3.1 Applicability of regulations.

This part applies to all park areas administered by National Capital Parks, National Park Service, in the District of Columbia, Maryland and Virginia, and to other Federal reservations in the environs of the District of Columbia, policed with the approval or concurrence of the head of the agency having jurisdiction or control over such reservations, pursuant to the provisions of the act of March 17, 1948 (62 Stat. 81).

§ 3.2 Applicability of Federal laws.

In all areas to which this part is applicable all Acts shall be enforced insofar as applicable.

§ 3.3 Applicability of District of Columbia and State laws.

(a) The laws and regulations promulgated for the District of Columbia shall be enforced, insofar as applicable, in all park areas within the District of Columbia.

(b) In areas to which this part is applicable, located outside the geographical limits of the District of Columbia, the laws of the State within which the area is located shall be invoked and enforced in accordance with the act of June 25, 1948 (62 Stat. 686; 18 U. S. C. sec. 13).

§ 3.4 Definitions.

As used in this part, unless otherwise indicated:

(a) Under the regulations, the term "park area" means any and all developed and undeveloped grounds, playgrounds, plazas, squares, circles, triangles, islands, ways, streets, sidewalks, roads, boulevards, parkways, canals, waters, buildings, monuments, structures and other properties administered by National Capital Parks, National Park Service, including such park areas as herein defined as are used by the District of Columbia Recreation Board pursuant to agreement with the National Capital Parks, National Park Service.

(b) The term "other Federal reservations" means Federal areas, which are not under the administrative jurisdiction of the Department of the Interior, located in Arlington and Fairfax Counties and the City of Alexandria in Virginia, and Prince Georges, Anne Arundel, and Montgomery Counties in Maryland, exclusive of military reservations, unless the policing of such areas by the United States Park Police is specifically requested by the Secretary of Defense or his designee.

(c) The term "environs of the District of Columbia" embraces Arlington and Fairfax Counties and the City of Alexandria, in Virginia, and Prince Georges, Anne Arundel, and Montgomery Counties, in Maryland.

(d) The term "Secretary" means the Secretary of the Interior.

(e) The term "Director" means the Director of the National Park Service or his authorized representative.

(f) The term "Superintendent" means the Superintendent of National Capital Parks or his authorized representative.

(g) The term "official permit" means permits issued by authorized officials of the agency having control or jurisdiction of the Federal area involved.

(h) The term "official sign" means any sign or signs posted by order of authorized officials of the agency having control or jurisdiction of the Federal area involved.

(i) The term "person" includes individuals, partnerships, firms, corporations, and voluntary associations.

(j) The term "driver" means the rider, driver, or leader of any horse or other riding or draft animal, a person who pushes, draws or propels a vehicle, and the operator of a motor-propelled vehicle.

(k) The term "horse" means any riding or draft animal or beast of burden.

(l) The term "park road" means any street, road, highway or public thoroughfare in any Federal area covered by this part.

(m) The term "vehicle" means any conveyance or animal customarily used for the purpose of riding or driving.

(n) The term "commercial vehicle" means any vehicle designed or used for carrying freight or merchandise for or without hire.

(o) The term "parking" means any vehicle left standing, whether or not attended, except when standing in obedience to traffic regulations, signs or signals, or to a police officer.

§ 3.5 Penalties.

(a) *Regulations in this part.* Any person violating any of the provisions of this part, except violations of traffic and motor vehicle regulations in park areas in the District of Columbia, shall, upon conviction thereof, be punished by a fine of not more than $500 or imprisonment for not exceeding six months or both.

(b) *Traffic violations in District of Columbia.* Any person violating any of the provisions of the traffic and motor vehicle regulations contained in this part in park areas in the District of Columbia, except where a penalty is otherwise provided, shall, upon conviction thereof, be punished by a fine of not more than $300 or imprisonment of not more than 10 days or both.

(c) *Statutes; other applicable regulations.* Any person violating any act of Congress or State law adopted pursuant to an act of Congress or rule or regulation promulgated by other Federal officials, the Commissioners of the District of Columbia, or other municipal officials, which is in force and applicable to any area covered by this part shall, upon conviction, be punished in accordance with the penalty provisions of such act, rule or regulation.

§ 3.6 Place of trial.

Any person violating any of the regulations contained in this part in park areas within the District of Columbia is subject to prosecution and trial in the Municipal Court for the District of Columbia. Any person violating any of the regulations contained in this part in areas covered by this part within the States of Maryland or Virginia may be tried by a United States Commissioner authorized to try petty offenses in the judicial district in which the offense was committed or, if the person charged with the offense so elects, he shall be tried in

the district court of the United States which has jurisdiction over the offense.

§ 3.7 Federal property; miscellaneous provisions.

(a) *Statues and other structures.* No person shall climb upon or in any way injure any statue, fountain, wall, banister, ledge, fence, balustrade, railing or other structure.

(b) *Water system.* No person shall tamper with drinking fountains, hydrants, or other water system facilities.

(c) *Life buoys.* No person shall tamper with or remove life buoys from their fastenings except for the purpose of aiding a person who is in danger of drowning.

(d) *Injury to lawns.* No person shall make any use of lawn areas which tends to injure the lawns in any manner. This section shall not be construed to prohibit casual strolling over lawn areas.

(e) *Short cuts.* No person shall make short cuts across lawn areas which tend to make paths. Hikers and horseback riders shall not make short cuts, but must confine themselves to the established trail.

(f) *Signs.* No person shall tamper with, mar, remove or destroy any official or public sign.

(g) *Dumping.* No person shall dump any material or refuse of any description in any area covered by this part, except pursuant to the provisions of an official permit.

(h) *Storage.* No person shall store material of any description, or displace, leave, house, or permit to be placed or left in any area covered by this part any vehicle or parts of vehicles, or rubbish of any description, except pursuant to the provisions of an official permit.

(i) *Fences and other structures.* No person shall enclose any area covered by this part or erect any fence, wall, or build any trail, road, bridge or other structure in any area covered by this part, except pursuant to the provisions of an official permit.

(j) *Spilling of deleterious substance.* No person shall pour or cause to spill or permit to escape in any area covered by this part any oil, gas, salt, acid or other deleterious substance whether liquid, solid or gaseous, except pursuant to the provisions of an official permit.

(k) *Other injury or removal.* Any other injury to or removal of any Federal property, except under authority of law, is prohibited.

(l) *Historic structures and remains.* The destruction, injury, defacement, removal, or disturbance in any manner of any historic structure, ruins, relics, artifacts or remains is prohibited. Any such object removed in violation of this section shall be delivered to the Superintendent or his representative on demand.

(m) *Soils, rocks, and minerals.* The destruction, injury, defacement, removal, or disturbance in any manner of any soil, rock, mineral formation, or phenomenon of crystallization is prohibited. The provisions of this section do not pertain to construction projects authorized by the Superintendent.

§ 3.8 Lamps and lamp posts in park areas.

(a) No person shall break, damage, or carry away any lantern, glass, frame, street designation, fixture, or other part or appurtenance of any public lamp; or hitch, tie or fasten any animal to any lamp post or appurtenance thereof.

(b) No person shall take up or carry away any public lamp post, or extinguish or obstruct the light in any public lamp, or cap or plug the service pipe of any public lamp.

(c) No person shall climb, damage or destroy any public lamp post, or attach any guy line or sign thereto, or deface any public lamp post or appurtenance thereof by means of lime, mortar, paint, or other material; or pile material of any kind against any public lamp post.

§ 3.9 Comfort stations and other structures.

(a) No person shall enter, remain, or loiter in any comfort station or other public structure in a park area except to use such facility for the purpose for which it is intended.

(b) No person shall deposit any bodily waste in or on any portion of any comfort station or other public structure in a park area excepting directly into such particular fixtures as may be provided for that purpose, nor place any bottle, can, cloth, rag, or metal, wood, or stone substance in any of the plumbing fixtures in such station or structure.

(c) In a comfort station or other public structure in a park area, no person shall interfere with any attendant in the performance of his or her duty.

(d) No person shall cut, deface, mar, destroy, or break, or write on or scratch any wall, floor, ceiling, partition, fixture, or furniture, or use towels in any improper manner, or waste soap, toilet paper, or any of the facilities provided in any comfort station or other public structure in a park area.

§ 3.10 Trees, shrubs, plants, grass and other vegetation.

(a) *General injury.* No person shall prune, cut, carry away, pull up, dig, fell, bore, chop, saw, chip, pick, move, sever, climb, molest, take, break, deface, destroy, set fire to, burn, scorch, carve, paint, mark, or in any manner interfere with, tamper, mutilate, misuse, disturb or damage any tree, shrub, plant, grass, flower, or part thereof, nor shall any person permit any chemical, whether solid, fluid, or gaseous, to seep, drip, drain or be emptied, sprayed, dusted or injected upon, about or into any tree, shrub, plant, grass, flower, or part thereof, except when specifically authorized by competent authority; nor shall any person build fires, or station, or use any tar kettle, heater, road roller or other engine within an area covered by this part in such a manner that the vapor, fumes or heat therefrom may injure any tree or other vegetation.

CROSS REFERENCE: For parking which may impair vegetation and trees, see § 3.33(a) (1) and (8).

(b) *Animals.* No person shall hitch, tie or fasten any horse or other animal to, or within reach of, any tree, shrub, plant, tree box or tree guard.

CROSS REFERENCE: For regulations with respect to domestic animals, see also §§ 3.11 and 3.13.

(c) *Attachments.* No person shall hitch, tie, fasten, nail, anchor, screw or otherwise attach any wire, cable, chain, rope, card, sign, poster advertisement, notice, announcement, handbill, board or other article or device to any tree, shrub or plant, without first obtaining an official permit.

(d) *Excavations.* No person shall excavate any ditches, tunnels, holes or trenches, or lay any sewer or pipe line, drain, conduit or cable, walk, path, drive or highway within or affecting any park area, without first obtaining an official permit. In making permitted excavations proper care shall be taken to prevent injury to the roots of trees, shrubs, or plants. Upon completion of the work, the ground surface shall be restored by the permittee and the correction of any future settling of the back fill shall likewise be the responsibility of the permittee.

(e) *Guards.* All trees, shrubs, or other plants growing within any park area near any excavation or construction of any kind, shall be protected with a substantial and adequate guard constructed by the permittee.

(f) *Gas.* Any person owning or operating beneath the ground, in or adjacent to park areas, any pipes or other conduits for the transmission or delivery of illuminating gas, oil, steam, or other substance in liquid or gaseous form, shall locate and maintain such pipes or conduits free from leaks and in such condition as to prevent injury to any tree, shrub, plant, lawn, or other vegetation growing within park areas.

(g) *Wires.* No person shall string any wire or wires through or above any park areas; nor prune or remove branches or trees which may now or hereafter interfere, rub or grow near existing wires; nor attach any wire, insulator or device to trees or within any area covered by the root system of trees, without first obtaining an official permit. Any person having jurisdiction or control over any wire or conduit for the transmission of an electric current shall guard all trees through which such wires or conduits pass, against any injury from the wires or the electric current carried thereby. The device or means used shall, in each case, be of a type approved by the Superintendent.

(h) *Planting.* No person shall plant or cause to be planted any tree, shrub or plant within a park area without first obtaining an official permit.

(i) *Adjacent trees.* Any tree, shrub or plant growing upon private property and which overhangs any park area in such a way as to present a hazard or impede, obstruct or interfere with traffic, travel or park use shall be trimmed, removed, braced, or otherwise treated by the owner of the premises on which such tree, shrub or plant is located, in a manner prescribed by the Superintendent. In an emergency, the Superintendent is empowered to enter such premises and to trim, remove, brace or otherwise treat any tree which is deemed hazardous to

park travel or use, in such a manner that the hazard shall be eliminated.

§ 3.11 Dogs, cats and livestock.

(a) The laws and regulations of the District of Columbia, Maryland and Virginia, relating to licenses and muzzles shall apply to dogs in the park areas located within the geographical limits of the respective jurisdiction.

(b) No dog or cat, unless caged or on a leash not more than six feet long and entirely under control, shall be taken into or exercised in park areas: *Provided*, That in special cases the Director may authorize the keeping of dogs, cats and livestock by park residents under such conditions as he may prescribe.

(c) No dog or cat shall be permitted by the person exercising or walking the animal to commit any nuisance on playgrounds, trees, shrubs, plants, lawns, sidewalks, footpaths, or in flower beds, buildings, or in any other park area, except in park roadways.

(d) Livestock and dogs trespassing on any land of the United States in the National Capital Park System may be impounded and shall be disposed of in accordance with State or District of Columbia statutes insofar as the same may be applicable.

§ 3.12 Horses.

(a) A horse shall not be left unbridled or unattended in any park area without being securely fastened, unless harnessed to a vehicle with wheels so secured as to prevent its being dragged faster than a walk.

(b) A driver shall continuously hold the reins in his hand while riding, driving or leading a horse within a park area.

(c) No more than two horses abreast shall be permitted on the bridle paths in any park area.

(d) Horses shall not be allowed to move over any park area other than those specifically designated for horse exercise.

(e) Fast or reckless riding or driving of horses in any park area is prohibited. Equestrians shall be careful to come down to a walk or slow trot before passing pedestrians.

(f) Horseback riding on the towpath of the Chesapeake and Ohio Canal between Rock Creek and Swain's Lock (Lock 21) is prohibited without special permit.

CROSS REFERENCE: For regulations prohibiting the tying of horses or other animals to lamp posts or trees, see §§ 3.8(a) and 3.10 (b), respectively.

§ 3.13 Grazing; permitting animals to run loose.

Using park areas for grazing, allowing to graze, or permitting to run loose thereon any animal, is prohibited, unless authorized by an official permit. Any owner or custodian of an animal or animals shall prevent such animal or animals from doing any of the acts enumerated in this section.

§ 3.14 Picnics in park areas.

(a) *Picnicking.* Picnicking is permitted only in areas designated for such use.

(b) *Permits.* Persons holding official permits for the use of established picnic groves in certain park areas shall be entitled to the exclusive use of such groves on the dates and between the hours specified in the permits. All persons not holding permits shall be required to vacate the groves upon the arrival of permit holders.

(c) *Garbage.* Picnic groves in park areas shall be left in a clean condition by persons using the groves. Garbage and refuse of all kinds shall be placed in receptacles provided for the purpose.

§ 3.15 Athletics.

(a) *Permits for set games.* Playing baseball, football, croquet, tennis, and other set games or sports in park areas except under official permit and upon the grounds provided for such purpose, is prohibited.

(b) *Wet grounds.* Persons holding official permits to engage in games and sports at certain times and at places authorized for this use in park areas are prohibited from exercising the privilege of play accorded by the permit if the grounds are wet or otherwise unsuitable for play without damage to the turf.

(c) *Golf and tennis; fees.* No person shall use golf and tennis facilities in park areas except by payment of the prescribed fee, if one is required, and in compliance with regulations approved by the Director. Use of public golf and tennis facilities is restricted to authorized players and persons accompanying them; trespassing, intimidating, harassing or otherwise interfering with authorized golf players, or interfering with the play of tennis players is prohibited.

(d) *Archery.* No bows and arrows shall be permitted in park areas, with the exception stated in § 3.49, except in places designated by order of the Superintendent.

(e) *Ice skating.* When ice is forming on the Tidal Basin, the Reflecting Pool, and other bodies of water within park areas, all persons shall abide by the directions of the Park Police as to when and where the ice shall be available for skating. When skating is allowed, all persons shall be under obligation to refrain from fast and reckless skating when such skating might endanger the life or limb of other persons.

§ 3.16 Model planes.

No model powered plane shall be flown from any park area unless authorized by an official permit.

§ 3.17 Gambling.

Gambling in any form, or the operation of gambling devices whether for merchandise or otherwise in park areas, is prohibited.

§ 3.18 Hunting and fishing.

(a) *Hunting in park areas prohibited.* The parks are sanctuaries for wildlife of every sort and no person shall at any time or at any place within a park area, trap, catch, kill, injure, or pursue any wild birds or wild animals, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, or destroy, remove or disturb the nest or eggs of any wild bird. The Superintendent is authorized to take necessary action to capture or destroy wildlife which is damaging Government property.

(b) *Unauthorized possession of wildlife.* Unauthorized possession within a park area of any live wild bird or animal, or the dead body or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having the same, are guilty of violating this section.

(c) *Fishing in park areas in Maryland and Virginia.* Persons fishing in areas under the jurisdiction of the National Park Service, lying within the geographical limits of Maryland or Virginia, must be licensed by and comply with the applicable State laws.

(d) *Fishing in park areas in the District of Columbia.* Persons fishing in waters in the District of Columbia controlled by the Secretary of the Interior shall comply with the fishing regulations for the District of Columbia approved by the Secretary of the Interior and adopted by the Commissioners of the District of Columbia.

(e) *Closing of waters.* During a period of emergency, just prior to and during special ceremonial events or competitive aquatic events, adjacent to docks and floats, or to prevent over-use by fishermen of waters open to fishing in areas administered by National Capital Parks, the Superintendent, in his discretion, may close to fishing all or any part of such open waters for such periods of time as may be necessary. Provided, the notice thereof shall be given by the posting of appropriate signs, notices, and markers. Fishing in Prince William Forest Park shall be prohibited in areas designated for swimming, boating, or other public use, such areas to be designated by posting of signs.

§ 3.19 Parades and other functions without permits prohibited; exceptions.

Parades, ceremonies, entertainments, and functions of all kinds, are prohibited in park areas unless authorized by an official permit, except that public meetings and assemblies may be held and speeches and the expression of views publicly may be made without any permit in the following places, which shall be open and available for such purpose at all times to any person, group of persons, or organization:

(a) *Circus grounds.* Located at Oklahoma Avenue and Benning Road. When the circus grounds are in use by circuses or carnivals under official permits, the use of this area for public meetings and assemblies shall be prescribed by the Superintendent in such manner as to minimize, as far as possible, any interference or disturbance of circus or carnival operations.

(b) *Judiciary park.* On the north-south axis of the park between E Street and the statue of José de San Martin.

(c) *Smithsonian grounds.* In the northeast corner of the park and adjacent to Constitution Avenue and Ninth Street NW.

(d) *United States Reservation 46.* North side of Pennsylvania Avenue, west of Eighth Street and south of D Street SE.

§ 3.20 Areas available at all times subject to permit for public meetings; permit applications.

(a) *Available areas.* Public meetings and assemblies may be held and speeches and the expression of views publicly may be made in the following places, which shall be open and available for such purposes at all times to any person, group of persons, or organization, subject to the condition that an official permit therefor be first obtained.

(1) Anacostia Park west of Eleventh Street.

(2) Polo Field.

(3) Banneker Recreation Center, north side.

(4) Monument Grounds, Sylvan Theater.

(5) Watergate.

(6) Bunker Hill Park.

(7) Lincoln Park.

(b) *Application for permits.* Any application for a permit authorizing the holding of a meeting or other function within the areas covered by this section shall set forth the names of proposed speakers and the nature of all proposed speeches. This information shall be submitted sufficiently in advance of the date of the proposed meeting or function to allow persons desiring to reply to such speeches sufficient opportunity to apply for equal facilities. All such applications shall be available to public inspection. Persons or organizations wishing to present views in opposition to those scheduled for presentation under pending application shall be entitled to preference in applying for permission to use the same facilities immediately following or immediately preceding the meeting or function for which the original application was made.

(c) *Permit may be refused if there is a prior application.* The Superintendent may refuse to grant a permit for the above-named places only if a prior application for use of the same place at the same time has been made and such prior application has been or will be granted. In applying for such permit the applicant shall comply with the provisions of paragraph (b) of this section and shall specify the time and place desired.

(d) *Restricted areas.* Visitors shall not enter restricted areas posted as being closed to the public, except upon written permission from the Superintendent.

§ 3.21 Public meetings may be held subject to permit in any park area; exceptions.

Public meetings and assemblies may be held and speeches and the expressions of views publicly may be made in any park area other than the areas described in §§ 3.19, 3.20 and 3.22 subject to the condition that an official permit therefor be first obtained. The Superintendent shall forthwith issue a permit for such a place unless a prior application for the same time and place has been made which has been or will be granted, or unless, in his judgment, the permit should be refused because of traffic conditions, or because the particular use to which the area is primarily devoted makes its use for public gatherings contrary to the comfort, convenience and interest of the general public. In applying for such permit, the applicant shall comply with the provisions of § 3.20 (b) and shall specify the time and place desired.

§ 3.22 Areas in which parades and public gatherings are prohibited.

Parades, public gatherings of any kind, and the making of speeches are prohibited in the following places because of traffic conditions, or because the particular purpose to which the area is primarily devoted makes its use for public gatherings contrary to the comfort, convenience and interest of the general public:

(a) Lafayette Park.

(b) Sherman Square.

(c) United States Reservation 617, Fifteenth Street and Pennsylvania Avenue NW.

(d) Farragut Park.

(e) Rawlins Park.

(f) Mount Vernon Park.

(g) Stanton Park.

(h) The paved area in the Mall near Second Street.

(i) State Place.

(j) West and South Executive Avenues.

(k) Franklin Park.

§ 3.23 Policy governing the issuance of permits for public meetings.

(a) In passing upon requests for permits to speak or meet in such park areas, it is expected that the Superintendent will adhere to established Departmental policy to exclude absolutely from his consideration any agreement or disagreement with the political or economic views of the proposed speaker. Permits should not be granted, however, in the case of any assemblage which will bring clear and present danger of strife, riot or disorder or which will violate the criminal laws relating to sedition, lewdness or other matters prohibited by law.

(b) For political meetings, the National Capital Parks will furnish no services or facilities beyond those existing on the site, except that the sponsors of the meeting may provide additional services and facilities at their own expense, subject to approval by the Superintendent. The same policy will apply with respect to entertainment programs and to patriotic and civic meetings for which an admission fee is charged or at which funds will be solicited or collected.

(c) In the case of civic and patriotic assemblages, and athletic and entertainment programs which are presented as a public service, where no admission is charged and no funds will be solicited or collected, the National Capital Parks office may, within the limits of appropriations, furnish necessary platforms, chairs, music stands, lighting and other equipment as are available and the services of operational employees. At such ceremonial gatherings or events of community interest as the annual Independence Day Celebration at the Monument Grounds, the President's Cup Regatta, and the Cherry Blossom Festival, the National Capital Parks may, despite the fact that charges are made by participating organizations for seats or admission, furnish services and such available equipment as will not in turn be rented to those who attend the affair.

(d) Public meetings are prohibited at the National Memorials except those memorial services which honor the individual to whom the memorial is dedicated.

§ 3.24 Soliciting, advertising, sales.

(a) *Soliciting.* (1) Soliciting of alms and contributions for private gain and of patronage by guides or other persons in park areas is prohibited.

(2) Commercial soliciting of any kind in park areas without an official permit is prohibited.

(b) *Advertising and taking of photographs.* (1) The display or distribution of any form of commercial advertising is prohibited in park areas, except when authorized by official permit in connection with park activities.

(2) No photograph which may include a public monument or memorial shall be taken or used of any commercial vehicle or bus in a park area without an official permit.

(3) The photographing in park areas of models demonstrating wearing apparel or other commercial articles, for reproduction in commercial advertising, without an official permit, is prohibited.

(4) No photographs shall be taken within any military reservation except by holders of official permits and those persons having special permission of the officer in charge.

(5) No photograph of construction in the National Park system shall be taken or used in commercial advertising unless written permission of the Superintendent is obtained.

(c) *Sales.* No sales shall be made nor admission fee charged, and no article shall be exposed for sale in a park area without an official permit.

§ 3.25 Nuisances; disorderly conduct.

Committing a nuisance of any kind or engaging in disorderly conduct within an area covered by this part is prohibited. The following shall include, but shall not be construed to limit acts committed in areas covered by this part which constitute disorderly and unlawful conduct:

(a) *Wrestling.* Scuffling and wrestling in the vicinity of other persons.

(b) *Throwing of breakable articles.* Intentional throwing, dropping or causing to be thrown or dropped, any breakable article such as glass, pottery, or any sharp article which may cause injury to the person or property of others, upon any road, path, walk, parking lot or lawn area in any area covered by this part.

(c) *Throwing of stones.* Throwing stones or other missiles.

(d) *Throwing or dropping objects from Washington Monument.* Throwing or dropping any object from the windows at the top of the Washington Monument, or from the staircase or landings of the Monument, unless authorized by the Superintendent.

(e) *Rubbish.* Placing refuse brought from private property in park receptacles.

(f) *Spitting.* Spitting upon walks or paths.

(g) *Fireworks.* Discharging or setting off fireworks, firearms or other explosives in areas covered by this part: *Provided,* That upon holidays or on special occasions the Superintendent may permit at his discretion, use of such grounds in park areas as he may deem best suited for the purpose of fireworks display and the firing of salutes.

(h) *Unauthorized bathing.* Bathing, swimming or wading in any fountain or pool except where officially authorized. Bathing, swimming, or wading in the Tidal Basin, the Chesapeake and Ohio Canal, or Rock Creek, or entering from areas covered by this part the Potomac River, Anacostia River, Washington Channel or Georgetown Channel, except for the purpose of saving a drowning person.

(i) *Audio devices.* Audio devices including radios, television sets, public address systems and musical instruments, when audible beyond the immediate vicinity of the set or instrument, or when disturbing the quiet of camps, picnic areas, or other public places or gatherings.

(j) *Park benches.* Lying on park benches is prohibited.

(k) *Loitering with intent to remain more than four hours.* Sleeping, loitering or camping, with intent to remain for a period of more than four hours in any park area, is prohibited, except upon proper authorization of the Superintendent.

(l) *Vagrancy.* Habitually using any park area as a place of abode, sleeping therein, loafing therein by day and night by persons having no lawful employment and no lawful means of support realized from a lawful occupation or source and unable to establish the fact of residence elsewhere, is prohibited.

§ 3.26 Indecency, immorality, profanity.

(a) *Indecent exposure.* Obscene or indecent exposure by any male or female of his or her person or their persons, in a street, road, park, or other space or enclosure, or automobile, dwelling or other building within any area covered by this part wherefrom the same may be seen in any street, avenue, alley, road, or highway, open space, public square, or private building or enclosure is prohibited.

(b) *Urinating or defecating.* Urinating or defecating in any area covered by this part other than the places officially provided therefor is prohibited.

(c) *Adultery and fornication.* Adultery and sexual intercourse with or between unmarried persons in any area covered by this part is prohibited.

(d) *Nuisances; soliciting for immoral purposes.* Addressing, soliciting or attempting to make the acquaintance of another person for immoral or indecent purposes is prohibited in any area covered by this part.

(e) *Profanity.* The use of profane and indecent language within hearing of another person or persons in any area covered by this part is prohibited.

(f) *Other obscene and indecent acts.* The committing of any other obscene or indecent act in any area covered by this part is prohibited.

§ 3.27 Camping.

(a) Camping is permitted only in areas designated by the Superintendent who may establish limitations of time allowed for camping in any public camping ground. Upon the posting of such limitation in the campground, no person shall camp for a period longer than that specified for the particular campground.

(b) Overnight camping is prohibited in picnic grounds unless authorized by the Superintendent in writing.

(c) Campers shall keep their campgrounds clean. Combustible rubbish shall be burned on camp fires, and all other garbage and refuse of all kinds shall be placed in receptacles provided for the purpose.

(d) Campers and picnickers may use dead or fallen timber for fuel when authorized by the Superintendent.

(e) The installation of permanent camping facilities by visitors, or the digging or leveling of the ground in any campsite without the Superintendent's permission is prohibited. Camps must be completely razed and the sites cleaned before the departure of campers.

(f) No camp may be established in an area and used as a base for hunting outside such area.

(g) The Superintendent may establish hours during which quiet must be maintained at any camp, and prohibit the running of motors at or near a camp during such hours.

§ 3.28 Use of liquors; intoxication.

(a) *Drinking in areas covered by this part.* The drinking of beer, wine, or spirituous liquors within areas covered by this part in the District of Columbia, Maryland, and Virginia is prohibited, except with the written permission of the Superintendent.

(b) *Intoxication.* Entering or remaining in an area covered by this part in a visibly intoxicated condition is prohibited.

(c) *Driving motor vehicle while intoxicated.* No person who is under the influence of intoxicating liquor or narcotic drugs shall operate or drive a motor vehicle of any kind in any area covered by this part.

§ 3.29 Laws and regulations applicable to traffic control; enforcement.

(a) *District of Columbia, Maryland and Virginia laws and regulations.* The laws and regulations relating to traffic control promulgated for the District of Columbia and the laws of Maryland and Virginia, respectively, as adopted by the act of June 25, 1948 (62 Stat. 686; Title 18 U.S.C. sec. 13), shall constitute the traffic and motor vehicle regulations enforceable under the act of March 17, 1948 (62 Stat. 81), in all areas covered by this part within their respective geographical limits unless otherwise provided for by act of Congress or the regulations contained in this part: *Provided,* That the traffic regulations adopted by the local governing bodies pursuant to the provisions of the laws of Maryland and Virginia delegating authority to the local governing bodies to adopt such traffic regulations shall not apply; *And provided, further,* That the head of the agency having jurisdiction over the area may fix the speed limits which shall be indicated by signs, markers, and other devices to be erected and maintained by said agency and may fix the weight limits and control the parking of vehicles in such area.

(b) *Enforcement of traffic regulations.* All traffic regulations applicable in areas covered by this part shall be observed by the operators of vehicles, equestrians, and by pedestrians who shall also comply with official traffic signs and signals, and traffic direction by voice, hand or whistle, from any member of the United States Park Police, Metropolitan Police, Park Rangers or special policemen, properly equipped with police badge on duty in an area covered by this part. These directions may include signals for slowing down, stopping, backing, approaching or departing from any place, the manner of taking up or setting down passengers, and the loading and unloading of any material.

(c) *Special regulations governing parades and other ceremonies in park areas.* On the days of parades, ceremonies, celebrations and entertainments in park areas, special regulations as to parking vehicles and the positions and movements of spectators shall be promulgated by the Superintendent. All persons within the area of such special regulations shall obey or comply with the lawful orders of the park police or other authorized persons engaged in maintaining order.

(d) *Checking on speed by use of electronic device.* The speed of any motor vehicle may be checked on any park road in a park area in the States of Maryland and Virginia by the use of radiomicrowaves or other electrical device when such park road on which such device is used is clearly marked within four miles of such device and at State lines and at primary streets and highways by the posting of signs indicating radar control, when marked "Speed checked by radar."

§ 3.30 Obstructing entrances, exits, sidewalks.

(a) Assembling, loitering and congregating singly or in groups, in or about the entrances and exits to the various areas covered by this part, or within areas covered by this part, in such a way as to hinder or obstruct the sidewalks, roads, bridges, or bridlepaths, is prohibited.

(b) Congregating or loitering in or about any comfort station or other public structure in any area covered by this part in such a manner as to obstruct the proper use thereof, or to the annoyance of the people using or visiting such structures, is prohibited.

(c) Occupying, parking, stopping or leaving a bicycle, coaster wagon, perambulator, or other similar vehicle in any area covered by this part, on any sidewalk, bridge, road, footpath, or bridle path, in such position as to hinder or obstruct the proper use of the same is prohibited.

§ 3.31 Speed restrictions.

(a) *District of Columbia.* No specific speed limits shall apply to the park roads in park areas in the District of Columbia, unless a speed limit is prescribed for a

particular road, or section of roadway, by the posting of official signs.

(b) *Maryland and Virginia.* The speed limits prescribed by the States of Maryland and Virginia shall constitute the speed restrictions on park roads in areas covered by this part within their respective geographical limits, unless a lesser speed limit is prescribed for a particular road, or section of road, by the posting of official signs.

§ 3.32 Reckless driving; prohibited operations.

Persons operating motor vehicles within areas covered by this part shall drive in a safe manner. The following are prohibited:

(a) Driving carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property.

(b) Failing to keep any vehicle under proper control.

(c) Operating any vehicle in such a manner as to cause same to collide with another vehicle, person, fixed or moving object.

(d) Driving on wrong side of street or road.

(e) Following another vehicle too closely to permit clear vision of road ahead or sufficient distance in which to stop within the assured clear distance ahead.

(f) Operating a motor vehicle in grossly unsafe mechanical condition.

(g) Operating a closed passenger-carrying vehicle with side shades or curtains drawn more than half way, except when going to or returning from a funeral or when necessary as protection from the elements.

(h) Operating a motor vehicle when the rear windows are cracked, scarred, clouded or otherwise obscured or defective so as substantially to obstruct vision.

(i) Operating a motor vehicle when either or both identification tags thereon are obscured by snow, mud or other matter.

(j) Changing from one lane of traffic to another without proper and timely signal and due regard to the traffic on the roadway. Every person operating a motor vehicle shall stay within one lane of traffic as much as possible, that lane to be the one nearest the right edge of the road; and he shall determine in advance, before changing from the lane in which he is driving, that the condition of traffic is such as to make it safe to change. He shall furthermore have the duty of giving a timely signal before changing from one lane to the other.

(k) Making or executing a left turn with any motor vehicle from any one-way road in an area covered by this part from any lane other than that nearest the left curb or edge of the roadway.

(l) Operating or driving or stopping a motor vehicle on any footpath, bridlepath, towpath, walk, sidewalk, footbridge, horsebridge, or lawn area within an area covered by this part.

CROSS REFERENCE: For driving vehicle while intoxicated, see § 3.28(c).

§ 3.33 Parking restrictions; impounding of vehicles.

(a) *General provisions*—(1) *Undesignated spaces.* Driving over or parking on an area covered by this part other than a road, street or a designated parking space, whether such is grassed or not, is prohibited.

(2) *Official signs.* Stopping, standing or parking in any area covered by this part contrary to the direction of official signs, is prohibited.

(3) *Night parking.* Parking of vehicles between dark and daylight in an area covered by this part where no lighting equipment is installed, is prohibited.

(4) *Screened windows.* Stopping or parking motor vehicles upon any road in any area covered by this part, by day or by night, with windows screened or curtains drawn so as to obscure or conceal the interior of the vehicle, is prohibited.

(5) *Constitution Avenue and Nineteenth Street.* Between the hours of 4 p. m. and 6 p. m. on any day, except Sundays and legal holidays, no driver of a vehicle shall stop, stand, or park to take on or discharge a passenger or passengers, on the south side of Constitution Avenue Northwest, between the east curb line of Nineteenth Street and a point 100 feet in an easterly direction.

(6) *Parades.* Parking on roads in a park area through which a parade will pass two hours prior to the moving of such parade is prohibited. The placing of an official sign by the park police on a park road or in a parking zone by 7 a. m. on the day a parade is to take place, informing the public of the time to vacate the park road or parking zone shall be sufficient notice; and if the owner or person in charge of any vehicle shall fail and neglect to remove such vehicle before or by the time specified on the sign, he shall be subject to prosecution.

(7) *Gutters.* Driving or parking in gutters in areas covered by this part where no curb exists, is prohibited.

(8) *Trees and shrubs.* Parking in any area covered by this part which involves contact with any tree, shrub or plant, or with its exposed roots, is prohibited.

(b) *Parking on public ground within District of Columbia; penalty.* No vehicle of any kind shall be parked, stored, or left, whether attended or not, on any park area in the District of Columbia, other than park roads and designated public parking spaces, except when authorized by official permit. Any person violating the provisions of this paragraph, shall, upon conviction thereof, be punished by a fine of not more than $25.

(c) *Impounding of illegally parked vehicles.* Any unattended vehicle parked in any area covered by this part in violation of any traffic law or regulation; except short-term overtime parking, may, in the discretion of the park police, be removed and impounded until the owner thereof, or other duly authorized person, shall deposit collateral for his appearance in court. A storage fee of one dollar per day may be charged for impounded vehicles left in police custody longer than 7 days. Vehicles left longer than 90 days shall be disposed of as abandoned to the United States.

CROSS REFERENCE: For place of trial, see § 3.6.

§ 3.34 Traffic signs.

Drivers of all vehicles shall comply with the directions of all official traffic signs posted in areas covered by this part.

§ 3.35 Washing of cars prohibited.

Washing, cleaning, lubricating, repairing or performing any mechanical work upon vehicles within park areas is prohibited, except in case of emergency.

§ 3.36 Commercial vehicles and common carriers.

(a) *Operation in park areas prohibited; exceptions.* Commercial vehicles and common carriers, loaded or unloaded, are prohibited on park roads and bridges except on roads designated by order of the Superintendent, or when authorized by official permit in an emergency, or when operated in compliance with paragraphs (b), (c) or (d) of this section.

(b) *George Washington Memorial Parkway; passenger-carrying vehicles; permits; fees.* (1) Taxicabs licensed in the District of Columbia, Maryland or Virginia, shall be permitted on any portion of the George Washington Memorial Parkway.

(2) Passenger carrying buses for hire or compensation shall be permitted on the George Washington Memorial Parkway upon application for, and the granting of a permit by the Superintendent, National Capital Parks, issued on an annual basis, effective from April 1 until the following March 31, at the rate of $3 for each passenger-carrying seat in every vehicle so operated. Such permits may be issued (i) to provide passenger service on any portion between Mount Vernon and the Arlington Memorial Bridge, (ii) to provide limited direct non-stop passenger service between Key Bridge and the Central Intelligence Agency Building at Langley, Virginia, and (iii) to provide limited direct non-stop passenger service between the interchange at Route 123 and the Central Intelligence Agency Building at Langley, Virginia.

(3) A quarterly permit may be procured for a fee of 75 cents for each passenger-carrying seat in such vehicle. A quarterly permit may be effective for quarterly increments.

(4) Permits for operation of any such vehicle on the parkway for a single day may be procured at the rate of $1 per vehicle per day.

(5) Busses operating on a regular schedule shall file that schedule and all schedule changes, with the office of National Capital Parks showing the number of buses operating on the parkway.

(c) *Commercial trucks.* The use of any park road by commercial trucks when such trucking is in no way connected with the operation of the park system is prohibited, except that in special cases trucking permits may be issued at the discretion of the Superintendent.

(d) *Taxicabs*—(1) *Operations around memorials.* Parking, except in officially designated taxicab stands, or cruising on the access roads to the Washington Monument, the Lincoln Memorial, the Jeffer-

son Memorial, and the circular roads around the same, of any taxicab or hack without passengers is prohibited. However, this section shall not be construed to prohibit the operation of empty cabs responding to definite calls for hack service by passengers waiting at such Memorials, or of empty cabs which have just discharged passengers at the entrances of the Memorials, when such operation is incidental to the empty cabs leaving the area by the shortest route.

(2) *Stands.* Taxicab stands to serve the public convenience may be established by order of the Superintendent in suitable and convenient places.

(e) The provisions of this section prohibiting commercial trucks and common carriers shall not apply within "other Federal reservations", in the environs of the District of Columbia, as defined in § 3.4(b), and shall not apply on that portion of Suitland Parkway between the intersection with Maryland Route 337 and the end of the Parkway at Maryland Route 4, a length of 0.6 mile.

§ 3.37 Vehicles; weight and tread restrictions.

(a) *Maximum weight.* No vehicle, the weight of which including load, exceeds the officially posted weight limit appearing at or on the bridge, shall cross any bridge in any area covered by this part unless authorized by an official permit.

(b) *Permissible solid tires.* (1) No vehicle equipped with solid rubber tires shall be driven or moved over any road in any area covered by this part unless the entire traction surface of the tire is at least 1 inch thick above the edge of the flange for the entire periphery of the tire.

(2) No vehicle equipped with steel tires, loaded or unloaded, shall be driven or moved over any road in any area covered by this part if the total gross weight is in excess of 6,000 pounds.

(c) *Prohibited treads.* There shall not be operated or moved upon any road in any area covered by this part, except by hauling on an approved type of conveyance, any vehicle of any kind the face of the wheels, or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes or any device which may tend to injure the roadway. This prohibition applies to all rings or flanges upon guiding or steering wheels on any such vehicle but it shall not be construed as preventing the use of ordinary detachable tire or skid chains.

§ 3.38 Tampering with vehicles prohibited.

Tampering with or attempting to enter or start any motor vehicle parked in any area covered by this part, without authority from the owner of such vehicle, is prohibited.

§ 3.39 Prevention of smoke.

The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

§ 3.40 Bicycling, roller skating and coasting restrictions.

(a) *Bicycling.* Bicycle riding, except upon the roads or other areas designated by order of the Superintendent to be used for that purpose, is prohibited. Walking, driving, or riding bicycles or motorcycles on bridlepaths, is prohibited.

(b) *Roller skating.* Roller skating except upon areas designated by order of the Superintendent to be used for that purpose, is prohibited.

(c) *Coasting.* The operation of sleds, sleighs, scooters, coaster wagons, or similar vehicles by children or adults on any road, walk, bridle path, bridge, or lawn area, other than those places designated by order of the Superintendent to be used for such purposes, is prohibited.

(d) The provisions of this section shall not apply within "other Federal reservations", as defined in § 3.4 (b).

CROSS REFERENCE: For regulations with respect to parking, stopping, or leaving of any vehicle, such as a bicycle or coaster wagon, on any sidewalk or other public thoroughfare, see § 3.30(c)

§ 3.41 Boating.

(a) No privately owned boat, canoe, raft, or other floating craft shall be placed or operated upon the waters of any area covered by this part without an official permit. Such permit will be revoked upon the failure of the permittee to comply with the terms and conditions of the permit and the permittee will be required to immediately remove his craft from the area. The provisions of this section shall not apply to the operation of canoes and other hand-propelled boats in the waters of the Chesapeake and Ohio Canal.

(b) Garbage, litter, or other waste shall not be dropped or thrown from vessels, or from shore, into park waters, but shall be disposed of on shore at designated locations in a manner prescribed by the Superintendent.

(c) Wastes from toilets or galleys shall not be discharged within one half mile of low water line along the shore, or one half mile from any water supply intake, and the Superintendent may restrict any water area if a public health hazard develops or the deterioration of esthetic values becomes apparent.

(d) Every vessel or craft operating in Park waters which is propelled by internal combustion engines shall be equipped with a muffler so constructed as to prevent any unnecessary or prolonged, intense noise in the operation or management of such vessel and the said muffler shall not be removed, cut out, or put out of operation for any purpose whatsoever, except during authorized Regattas. Nothing contained in this paragraph shall apply to vessels equipped with underwater exhausts or to vessels discharging water through open exhaust pipes so long as these methods of silencing the exhaust are effective.

§ 3.42 Swimming, water skiing etc.

Swimming from unanchored boats is prohibited. Children under the age of 12 years, when in the water shall wear approved life preservers; water skiiers, when being towed, shall wear life belts or life preservers.

§ 3.43 Collection of scientific specimens.

Collection of natural objects for scientific or educational purposes shall be permitted only in accordance with an official permit. No permits will be issued to individuals or associations to collect specimens for personal use, but only to persons officially representing reputable scientific or educational institutions in procuring specimens for research, group study, or museum display. Permits will be issued only on condition that the specimens taken will become part of a permanent public museum or herbarium collection, or will in some suitable way be made permanently available to the public. No permits may be granted for the collection of specimens the removal of which would disturb the remaining natural features or mar their appearance. Permits to secure rare natural objects will be granted by the Director only upon proof of special need for scientific use and of the fact that such objects cannot be secured elsewhere: *Provided, however,* That the provisions of this section shall not apply within "other Federal reservations", as defined in § 3.4 (b).

§ 3.44 Lost and found articles.

(a) Lost articles or money which are found in areas covered by this part shall be immediately referred to the police official in charge of the area where the article was discovered. Proper records shall be kept at Police Headquarters of the receipt and disposition of such articles. If an article or money found on park areas and referred to Park Police Headquarters is not claimed by the owner within a period of 60 days, it shall be returned to the finder and appropriate receipt obtained; except, that in the case of Force and National Capital Parks employees, items turned in which are not claimed by the owner within 60 days shall be considered as abandoned to the United States and reported to the nearest representative of the General Services Administration for disposition. In no case will found articles be returned to the employees who found them.

(b) The abandonment of any personal property in any of the park areas is prohibited.

§ 3.45 Photographing; restrictions.

(a) *Frivolous and undignified posing.* Photographing of persons posing in a frivolous or undignified manner within, upon, or by, any National Memorial, is prohibited.

(b) *Use of tripod or other devices.* The use of a tripod or other device for the support of the camera or other instrument on the floors or steps of any memorial, or other park structure, is prohibited, unless the tripod or device is equipped in such a manner as will prevent scratching or other damage.

(c) *Motion or sound pictures.* Before any motion or sound pictures may be filmed in any park area except by amateurs and bona fide newsreel photographers, authority must first be obtained in writing from the Superintendent, which authority will be granted in the discretion of the Superintendent in accordance with the provisions of 43 CFR Part 5.

CROSS REFERENCE: For use of pictures taken in park areas for commercial advertising, see § 3.24 (b) (2) and (3).

§ 3.46 Discrimination in furnishing public accommodations and in using park areas.

The operator of any public facility or accommodation in a park area and its employees, including the District of Columbia Recreation Board and its personnel, while using park areas are prohibited from (a) publicizing the facilities, accommodations or any activity conducted therein in any manner that would directly or inferentially reflect upon or question the acceptability of any person or persons because of race, creed, color, or national origin; and (b) discriminating by segregation or otherwise against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodation, facility, service, or privilege offered to or enjoyed by the general public.

§ 3.47 Installation permits.

(a) *Permit required.* No facility, utility, works, building, or other installation may be installed or maintained in a park area without an official permit designated as an "installation permit".

(b) *Application and permit.* (1) Application for "installation permit" shall be made in the form prescribed by the Superintendent of National Capital Parks.

(2) "Installation permits" may be issued by the Superintendent of National Capital Parks and shall be subject to the payment of such fees and such conditions of location, relocation, removal, maintenance, restoration, design, materials, method of construction, time, expiration, termination, and other requirements as may be prescribed in the permit or by regulations of the Secretary of the Interior and instructions issued thereunder. The Superintendent may require a cash or surety bond acceptable to him in such amount as he deems adequate to insure full compliance with the conditions of the installation permit.

(3) All permittees must comply with all Federal and applicable local laws and all regulations of the Secretary of the Interior relating to park areas.

(4) An "installation permit" may be revoked and the removal of the installation required by the Superintendent of National Capital Parks, with the approval of the Director of the National Park Service or the Secretary of the Interior, by mailing to the permittee written notice to that effect at least 30 days prior to the effective date of the revocation of the permit.

(c) *Appeals from administrative action.* Appeals from action relating to "installation permits" issued pursuant to paragraph (b) of this section may be taken from any administrative action by filing with the Superintendent a written request for reconsideration thereof or notice of appeal. Administrative action of the Superintendent shall be final unless an appeal is taken therefrom within 30 days by filing with the Superintendent a written notice of appeal and a statement setting forth in detail the reasons why the administrative action taken by the Superintendent is contrary to or in conflict with the facts, the law, or the regulations of the Secretary. Upon receipt of such a statement the Superintendent shall submit a statement reviewing the case and presenting the facts and considerations upon which his action is based. The two statements together with all papers comprising the record in the case shall then be transmitted to the Director who shall review the case and will thereupon refer the case with his recommendations to the Secretary for a final decision. The Secretary will thereupon consider the case and recommendations from the Director and advise both the appellant and the Superintendent of his decision.

§ 3.48 Making false reports to the United States Park Police.

Any person who shall make or cause to be made to the United States Park Police or to any officer or member thereof, a false or fictitious report of the commission of any criminal offense within any area administered by the Office of National Capital Parks, or a false or fictitious report of any other matter or occurrence of which said United States Park Police is required to receive reports or in connection with which said United States Park Police is required to conduct an investigation, knowing such report to be false or fictitious, or shall communicate or cause to be communicated to the said United States Park Police or any officer or member thereof any false information concerning the commission of any criminal offense within any area administered by the Office of National Capital Parks, or concerning any other matter or occurrence of which said United States Park Police is required to receive reports, or in connection with which said United States Park Police is required to conduct an investigation, knowing such information to be false, shall be punished as provided in § 3.5.

§ 3.49 Dangerous weapons.

(a) Carrying or possessing, while in any area covered by this part, a gun, airgun, bow and arrow, sling, dart, projectile thrower, knife with blade exceeding three (3") inches in length, or other dangerous instrument or weapon is prohibited; except that the prohibition with regard to the possession and carrying of bows, arrows, and firearms shall not apply to the Chesapeake and Ohio Canal lands above Swain's Lock in the State of Maryland, when such bows are unstrung, the arrows in quivers, and such firearms are unloaded or broken or encased and the party or parties in possession thereof are crossing canal property to gain access to legal shooting areas on private properties by the most direct and shortest route: *Provided,* That nothing in this paragraph shall be construed as to prevent the drill or activities of any organized military or semi-military body under an official permit, and the use of bows and arrows by park visitors on officially established archery ranges.

(b) The Superintendent may, in his discretion, permit the carrying of firearms by employees under his administrative jurisdiction when such possession is deemed necessary in the performance of their official duties.

(c) Authorized law enforcement officers may carry unsealed firearms while engaged in the enforcement of Federal or State laws and regulations, or when otherwise necessary in the performance of their duties.

§ 3.50 Fires.

(a) On public campgrounds and picnic areas wood fires shall be lighted only in the established fireplaces constructed for the convenience of visitors except when otherwise authorized by official permit.

(b) For cooking purposes charcoal grilles, gasoline or gas stoves may be used in public campgrounds and picnic areas.

(c) Due diligence shall be exercised in building and putting out fires and the disposal of charcoal to prevent damage to trees and vegetation and to prevent forest and grass fires.

(d) Smoking, or the building of fires, may be prohibited or limited by the Superintendent when, in his judgment, the fire hazard makes such action necessary.

§ 3.51 Sanitation.

(a) Campers and others shall not wash clothing or cooking or eating utensils in, or otherwise pollute or contaminate the waters of the areas.

(b) The washing of cooking or eating utensils and the cleaning of fish at water hydrants or drinking fountains is prohibited.

(c) Garbage, papers, or refuse of any kind shall not be thrown or left anywhere except in receptacles officially provided for such purpose.

(d) All comfort stations shall be used in a clean and sanitary manner.

§ 3.101 Schedule of minimum collateral (General Order No. 68).

(a) Hereafter persons arrested and taken to the Headquarters of the United States Park Police or to the Metropolitan Police precinct stations for violation of certain regulations promulgated for the protection of the Park System of the District of Columbia, as set forth on the Schedule of Minimum Collateral attached hereto, will be handled as follows:

(1) The decision as to whether an individual arrested shall be permitted to deposit collateral will rest with the official then in charge of the Force, who shall be guided in his decision by consideration of existing rules and laws governing incarceration of prisoners, and the customs of the community. Determination as to whether collateral shall be required in an amount greater than the minimum provided in the Schedule of Minimum Collateral, will rest with the decision of the official then in charge of the Force.

(2) Experience since 1938 has clearly demonstrated that permitting the forfeiture of collateral for minor offenses has eliminated the necessity for the police force to appear in court, if the person arrested elects to forfeit. As in the past, forfeiture of collateral for violation of National Capital Parks Regulations will be handled in a manner similar to forfeiture of collateral for violation of certain Metropolitan Police regulations.

(3) Whenever a U.S. Park Policeman makes an arrest for an offense covered

by the attached schedule, he will follow up the case and notify this office of the disposition of the case as promptly as possible.

(b) An order has been issued by the Honorable George P. Barse, Chief Judge of the Municipal Court for the District of Columbia, as of December 6, 1947, adopting the schedule of minimum collaterals attached to this section as the official collateral list until further order of the Court.

(c) General Order No. 24, dated April 28, 1938, is hereby revoked as of the effective date of this section.

(d) This section shall become effective as of May 1, 1950, and shall, together with the attached Schedule of Minimum Collateral, be published in the FEDERAL REGISTER (30 Stat. 570, as amended; 40 U.S.C. 79).

SCHEDULE OF MINIMUM COLLATERAL

A schedule of minimum collateral to be accepted for violations of certain regulations promulgated for the protection of the park system of the District of Columbia, in accordance with the provisions of the act of Congress, approved July 1, 1898 (30 Stat. 570), as amended:

Violations	N. C. P. regulations	Collateral
Animals, domestic or wild:		
Unlicensed or unmuzzled dogs	3.11 (a)	$5.00
Unleashed dogs or cats	3.11 (b)	2.00
Permitting dogs or cats to commit a nuisance on playgrounds, trees, shrubs, plants, lawns, sidewalks, footpaths, or in flower beds, buildings, or in any other park area, except in park roadways.	3.11 (c)	2.00
Horses: Leaving unbridled and unattended	3.12 (a)	2.00
Horses: Riding, driving, or loading without reins in hand	3.12 (b)	2.00
Horses: Riding of more than two abreast	3.12 (c)	2.00
Horses: Allowing to move over lawn areas	3.12 (d)	2.00
Horses: Fast or reckless riding or driving and failure to bring to a walk or slow trot before passing pedestrians.	3.12 (e)	2.00
Hitch, tie, or fasten any horse or animal to any public lamp post or appurtenance thereof	3.8 (a)	2.00
Hitch, tie, or fasten any horse or animal to, or within reach of, any tree, shrub, plant, tree-box or tree guard.	3.10 (b)	2.00
Grazing or permitting the running loose of animals except with official permission	3.13	5.00
Hunting, trapping, catching, killing, pursuing, or needlessly disturbing any birds, waterfowl or wild animal except upon proper authorization.	3.18 (a)	5.00
Athletics:		
Playing of baseball, football, tennis, golf, or other set games, except upon grounds provided under official permit	3.15 (a)	2.00
Playing on grounds wet or otherwise unsuitable for play without damage to turf	3.15 (b)	2.00
Unauthorized use of golf or tennis facilities where fee has been prescribed	3.15 (c)	2.00
Archery: Use of bows and arrows except in park areas designated by order of the Superintendent	3.15 (d)	2.00
Ice Skating: Fast and reckless skating, failing to abide by directions of the Park Police	3.15 (e)	2.00
Bicycles: Riding except upon the roads or designated areas	3.40 (a)	2.00
Boating: Permitting privately owned boat, canoe, raft, or floating craft to be operated upon waters in park area without official permission	3.41	2.00
Camping: Camping, loitering, or sleeping with intent to remain more than 4 hours except upon proper authorization of the Superintendent	3.25 (k)	5.00
Comfort stations (revised Aug. 19, 1946):		
Loiter in	3.9 (a)	5.00
Improper use of	3.9 (b)	5.00
Interfere with attendant	3.9 (c)	5.00
Destruction of property therein	3.9 (d)	10.00
Commercial activities:		
Soliciting of alms and contributions for private gain	3.24 (a)	5.00
Soliciting of patronage by guides or other persons	3.24 (a)	5.00
Display or distribution of any form of commercial advertising without permission	3.24 (b-1)	2.00
Photographing a public monument or memorial that includes any commercial vehicle or bus, without permission.	3.24 (b-2)	2.00
Photographing models demonstrating wearing apparel or other commercial articles, without permission.	3.24 (b-3)	2.00
Selling, exposing article for sale, or charging admission fee, without permission	3.24 (c)	2.00
Fishing:		
Fishing in fountain basins and ornamental pools	3.18 (d)	2.00
Fishing from the banks of the Potomac River, Anacostia River, Rock Creek, Washington Channel, Chesapeake and Ohio Canal or other waters within park areas where such banks have been posted with official signs prohibiting fishing.	3.18 (e)	2.00
Unlicensed fishing where license is required by State laws	3.18 (c)	2.00
Fishing in the Tidal Basin between Mar. 31 and May 30	3.18 (d)	2.00
Gambling: Participating in games for money or property, or the operating of gambling devices for merchandise or otherwise.	3.17	5.00
Indecency, immorality, profanity:		
Committing obscene or indecent acts	3.26 (a and f)	*$25.00
Urinating or defecating in any place other than the places officially provided therefor	3.26 (b)	5.00
Committing adultery or fornication in park areas	3.26 (c)	25.00
Addressing, soliciting or attempting to make the acquaintance of another person for immoral or indecent purposes.	3.26 (d)	*25.00
Using profane or indecent language	3.26 (e)	5.00
Lamps and lampposts:		
Breaking any lantern, glass, frame, street designation or fixture on public land	3.8 (a)	5.00
Remove, extinguish or obstruct the light in any public lamp	3.8 (b)	5.00
Climbing upon, damaging, attaching guy line or sign, defacing or piling material against a public lamppost.	3.8 (c)	5.00
Liquors, use of: Drinking beer, wine or spirituous liquors except at places licensed for the sale thereof.	3.28 (a)	5.00
Lying upon park benches	3.25 (j)	2.00
Meetings and demonstrations:		
Holding of parades or public gatherings without permission except in designated park areas	3.19 (a)	10.00
Holding public meetings and assemblies in available park areas, without permission	3.20 (a)	10.00
Holding parades, public gatherings of any kind and the making of speeches in restricted park areas.	3.22	15.00
Nuisances:		
Committing a nuisance of any kind or engaging in disorderly conduct in park areas prohibited.	3.25	5.00
Scuffling and wrestling in the vicinity of other persons	3.25 (a)	5.00
Intentional throwing or dropping of breakable articles	3.25 (b)	5.00
Throwing stones or other missiles	3.25 (c)	5.00
Throwing or dropping any object from windows at the top of Washington Monument or from staircase landings.	3.25 (d)	5.00
Throwing or leaving paper, fruit skins, or other rubbish except in receptacles officially provided for same.	3.51 (c)	2.00
Placing refuse from private property in officially provided receptacles for park refuse	3.25 (e)	5.00
Spitting upon sidewalks or paths	3.25 (f)	2.00
Discharging fireworks, firearms or other explosives without official permission	3.25 (g)	5.00
Bathing, swimming or wading in any fountain or pool except where officially authorized	3.25 (h)	2.00
Carrying or possessing, while in any park area, a gun, air gun, sling, dart, projectile thrower, knife with blade exceeding 3 inches, or other dangerous weapon	3.49 (a)	5.00
Obstructing entrances, exits, sidewalks: Occupying roads, highways, bridges, walks, footpaths, or bridle paths in such a manner as to hinder or obstruct their proper use.	3.30 (a-c)	5.00
Photographing other than commercial; restrictions:		
Photographing of persons posing in a frivolous or undignified manner within, upon, or by, any National Memorial.	3.45 (a)	5.00
Using tripod or other device for the support of camera or other instrument on the floors or steps of any memorial unless equipped to prevent scratching or other damage.	3.45 (b)	5.00
Making motion or sound pictures without permission, excepting amateurs and bona fide newsreel photographers.	3.45 (c)	5.00
Picnics.		
Preventing holders of official permits from occupying groves on dates and between hours specified.	3.14 (a)	2.00
Building fires in areas other than established fireplaces, without permission	3.50 (a)	2.00
Leaving garbage and refuse in park areas other than receptacles provided for same	3.14 (c)	2.00
Public property:		
Climbing upon or injuring any monument or structure	3.7 (a)	*5.00
Interfering with water system	3.7 (b)	*5.00
Removing of lifebuoys except for the purpose of aiding persons in the water	3.7 (c)	*2.00
Injury to lawns, short cuts	3.7 (d-e)	2.00
Removing, tampering with or damaging any official or public sign	3.7 (f)	*2.00
Dumping without authority	3.7 (g)	5.00
Storing material without authority	3.7 (h)	10.00
Enclose any park area or erect any fence, wall, or build any road, trail, bridge or other structure, without authority.	3.7 (i)	10.00
Pour or cause to spill on park area, any gas, salt, acid or other deleterious substance, without authority.	3.7 (j)	*10.00
Remove or damaging Government property	3.7 (k)	*5.00
Roller skating and coasting:		
Roller skating except in designated areas	3.40 (b)	2.00
Operating sleds, sleighs, scooters, coaster wagons or similar vehicles except in designated areas.	3.40 (c)	2.00
Scientific specimens, collection of: Collecting of natural objects without permission	3.43	3.00
Traffic and motor vehicles:		
Cleaning or repairing except in cases of emergency	3.35	2.00
Driving or parking in gutters where no curb exists	3.33 (a-7)	2.00
Driving or parking on any footpath, bridlepath, towpath, walk, sidewalk, footbridge, horsebridge or lawn area.	3.32 (l)	2.00
Driving over or parking on park area other than road, street, or designated parking space, whether such is grassed or not.	3.33 (a-1)	2.00
Left turn from one-way road, from any lane other than lane nearest left curb or edge of roadway.	3.32 (k)	5.00

Violations	N. C. P. regulations	Collateral
Traffic and motor vehicles—Continued		
Operation of passenger-carrying vehicles with curtains drawn more than halfway down, except for funerals or protection from the elements.	3.31 (g)	$2.00
Operating a motor vehicle when either or both identification tags thereon are obscured by snow, mud or other matter.	3.32 (i)	5.00
Operating commercial vehicles in park area without official permit	3.36 (a-c)	5.00
Operating vehicle without adjustment to prevent excessive fumes or smoke	3.39	5.00
Cruising taxicabs in restricted areas	3.36 (d)	5.00
Parking at night in unlighted park areas	3.33 (a-3)	2.00
Parking with windows screened or curtains drawn, in park areas	3.33 (a-4)	2.00
Parking which involves contact with any tree, shrub, plant, or with its exposed roots	3.33 (a-8)	2.00
Unauthorized parking in park area	3.33 (b)	2.00
Tampering with or attempting to enter or start any motor vehicle without authority from the owner.	3.38	*25.00
Operating vehicles without permission across bridges when the weight, which includes load, is in excess of officially posted weight limit sign.	3.37 (a)	10.00
Trees, shrubs, plants:		
Removing or injuring trees, shrubs, plants, grass and other vegetation	3.10 (a)	*5.00
Hitch, tie, fasten, nail, anchor, screw, or otherwise attach any wire, cable, chain, rope, card, sign, poster advertisement, notice, handbill, board or other article to any tree, shrub, or plant, without permission.	3.10 (c)	2.00
Vagrancy: Sleeping, loafing, in park areas by day and night by persons having no lawful employment and no lawful means of support realized from a lawful occupation and unable to establish residence.	3.25 (l)	10.00

NOTE: Traffic violators charged with violations of the traffic regulations promulgated for the District of Columbia, and applicable to all park areas within the confines of the District of Columbia, will be required to post collateral in accordance with the official list of minimum collateral requirements for such violations.

NOTE 1: Where the specified cash collateral is $25 or more, the amount of bond in lieu of said cash collateral shall be $1.00

NOTE 2: Attention is directed to the fact that the foregoing amounts represent only "minimum" collateral. This amount may be increased depending on the seriousness of the violation, this is particularly true in cases of violations preceded by the (*) asterisk.

PART 4—NATIONAL CEMETERY REGULATIONS

GENERAL

Sec.

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HEADSTONES AND MARKERS

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PENALTIES

4.25 Penalties.

AUTHORITY: §§ 4.1 to 4.25 issued under R.S. 4881, as amended, sec. 1, 19 Stat. 99, as amended, secs. 1–3, 39 Stat. 535, as amended, sec. 1, 49 Stat. 458, sec. 1, 53 Stat. 1342, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 231, 450*o*, 24 U.S.C. 278, 286. E.O. 6166, June 10, 1933, 5 U.S.C. 132 note, E.O. 8428, 5 F.R. 2131, 3 CFR, 1940 Supp., Proc. 2554, 7 F.R. 3143, 3 CFR Cum. Supp.

GENERAL

§ 4.1 Purpose.

The regulations in this part define the authority and responsibility for the operation, maintenance, and administration of the national cemeteries under the jurisdiction of the Department of the Interior.

§ 4.2 Authority for national cemeteries.

Basic legal authority pertaining to national cemeteries is contained in the act of February 22, 1867, ch. 61, 41 Stat. 400, as amended; 24 U.S.C. 271 (ch. 7); the act of August 25, 1916, ch. 408, 39 Stat. 535, as amended; 16 U.S.C. 1 and E.O. 6166, June 10, 1933, as amended; 5 U.S.C. 132 (note).

§ 4.3 Administration, control, and supervision.

The Director of the National Park Service, under the direction and control of the Secretary of the Interior, is responsible for the operation, maintenance, and administration of the national cemeteries below listed, and for the formulation of plans, policies, procedures, and regulations pertaining thereto.

Andrew Johnson National Monument.
Antietam (Sharpsburg), Maryland.
Battleground, District of Columbia.
Chalmette National Historical Park.
Custer Battlefield National Cemetery.
Fort Donelson (Dover), Tennessee.
Fredericksburg, Virginia.
Gettysburg, Pennsylvania.
Poplar Grove (Petersburg), Virginia.
Shiloh (Pittsburg Landing), Tennessee.
Stones River (Murfreesboro), Tennessee.
Vicksburg, Mississippi.
Yorktown, Virginia.

§ 4.4 Defacing.

Every person who willfully destroys, mutilates, defaces, injures, or removes any structure, tree, or plant within the limits of any national cemetery is subject to prosecution under the terms of the Act of March 3, 1911, chapter 231 and 291 (36 Stat. 1167; 24 U.S.C. 286).

§ 4.5 Disposition unserviceable headstones, markers, etc.

(a) *Government headstones and grave markers.* Government headstones and markers which are replaced will be broken up so that the inscriptions are illegible and the resulting stone used or disposed of as rubble. Government headstones as such will not be sold or donated to any individual or organization.

(b) *Private monuments and markers.* Private headstones, markers, and monuments that are broken or materially damaged or on which the inscriptions have become illegible will be reported to the Director for instructions as to disposition. The report will include full information as to condition of stone and pertinent information as to the next of kin.

§ 4.6 Blank ammunition for veterans' organizations for use in national cemeteries.

(a) The Act of 26 May 1952 (66 Stat. 94; 50 U.S.C. 62) authorized the free issue of caliber .30 blank ammunition to national veterans' organizations recognized by the Veterans Administration, Washington 25, D.C., for use at funerals and other ceremonies within national cemeteries.

(b) The national cemetery superintendent will be responsible for requisitioning, storing, and issuing such ammunition.

§ 4.7 Erection of poles and lines and utility lines.

The construction or erection of poles and lines, including underground lines, for the transmission and distribution of electric power; poles and lines, including underground lines, for telephone and telegraph purposes; and water, sewer and gas pipes will be permitted only with the authorization of the regional director.

§ 4.8 Animals, fowl, and pets.

(a) The keeping of animals or fowl, other than those normally considered as household pets, within the cemetery inclosure is prohibited.

(b) Superintendents will, in each instance, request permission from the regional director to keep household pets within the cemetery inclosure.

§ 4.9 Cemetery hours.

(a) The cemetery gates will be opened to the public every day throughout the year at 8 a.m. and closed at 5 p.m. (local time), except on Memorial Day when the gates will remain open until 7 p.m. Approval may be granted by the regional director for an extension of time in meritorious cases.

(b) A metal plaque showing cemetery hours will be attached to the main entrance gate. The plaque will be lettered as follows:

OPEN EVERY DAY
8 a.m.—5 p.m.
Memorial Day 8 a.m.—7 p.m.

§ 4.10 Visitors.

(a) Visitors will be admitted during the hours the gates are open.

(b) Visitors are not permitted to litter the grounds; cut, break, or injure trees, shrubs, or plants; use the cemeteries as picnic grounds; or otherwise desecrate the area.

(c) Superintendents will apprise offenders of the regulations and if repeated violations occur, such offenders will be asked to leave. Should it become necessary to arrest an offender, the superintendent will bring, or cause such person to be brought, before any United States Commissioner or judge of any district court of the United States within the State or district in which the cemetery is located, and there the superintendent will make complaint in due form.

(d) The use of national cemetery drives as public highways is prohibited, and the speed of vehicles must not exceed 25 miles per hour. The superintendent may, however, reduce the speed limit to that which he deems consistent with the public safety and in consideration of other pertinent factors. The superintendent will prescribe and promulgate such rules as may be necessary to provide for safety and proper control of traffic including parking rights generally.

(e) Special advance plans may be developed in anticipation of large crowds which may restrict the number of motor vehicles permitted to enter the cemetery area in order to relieve congestion and to promote public safety.

§ 4.11 Use and display of flag.

The flag will be used and displayed in accordance with regulations promulgated pursuant to law. (June 22, 1942, 56 Stat. 377, ch. 435; 36 U.S.C. 173–178.)

§ 4.12 Services and ceremonies.

(a) *General.* Patriotic organizations may, with proper permission, conduct services in national cemeteries. Requests for permission should be addressed to the superintendent of the cemetery who will assign an appropriate time and render assistance in carrying out the program. No organization will be given exclusive permission to enter any cemetery or for any particular occasion. Where several requests are received for separate services, the superintendent will schedule each so as to avoid interference.

(b) *Special occasions.* Since many organizations regularly conduct such services on Memorial Day, Veterans' Day, Easter Sunday, national holidays, and other special occasions, the procedure governing such services will be essentially as above provided. When Memorial Day falls on Sunday the ceremonies may be scheduled for either Sunday or Monday.

§ 4.13 Photographs.

(a) The superintendent may not furnish photographs of individual interment services or of an individual grave within a national cemetery.

(b) The next of kin of the deceased or his authorized representative may photograph the interment services or grave.

(c) The superintendents will furnish to the next of kin a photograph of the grave marker identifying group burials.

(d) The taking of photographs of national cemeteries for private or commercial purposes may be permitted. Superintendents will advise photographers that authorization is granted on the condition that the use or sale of such photographs will not tend to detract from the dignity and reverential atmosphere associated with national cemeteries or invade the privacy of next of kin through publication of any photographs showing name or identifying detail on individual grave markers.

§ 4.14 Solicitations.

(a) Solicitation within the area of a national cemetery of any type of business is prohibited and this includes guide service, the sale of souvenirs and refreshments.

(b) Violators will be ordered to leave the cemetery and repeated violations will be prosecuted according to law.

INTERMENTS AND DISINTERMENTS

§ 4.15 Who may be interred.

Burial in a national cemetery is authorized under regulations prescribed by the Secretary of the Army.

§ 4.16 Interment scheduling.

(a) It is the responsibility of the superintendent to fix the date and hour of all interments in a national cemetery. Upon receipt of a request for interment, the requester will be advised that the time set is tentative pending official determination of eligibility and receipt by the superintendent of authorization for interment. Under normal circumstances, superintendents will tentatively schedule interments so as to allow two full work days for The Quartermaster General to verify service data and determine eligibility. If extraordinary or compelling conditions require that a funeral be tentatively scheduled within the two work day period, the superintendent will communicate the circumstances to The Quartermaster General, together with his recommendations.

(b) Upon receipt of a request for interment, the superintendent will check all pertinent cemetery records to determine if any prior interment or gravesite reservation has been made in that cemetery for a member of the immediate family of the deceased whose eligibility was derived from the same source. The superintendent will question the next of kin or person in charge of the funeral arrangements, as to whether or not any such family member has been interred in any other national or post cemetery. If so, the name of the deceased and the name of the national or post cemetery are to be included in the request for interment telegram submitted to The Quartermaster General. This action will insure that the requested interment will be made in the proper grave.

(c) Interments will not be made on Saturdays, Sundays, or holidays unless it can be conclusively established that extraordinary conditions exist with respect to the condition of remains which makes it imperative that they be interred prior to a regularly scheduled work day. Requests received by superintendents for interment on these days, together with the pertinent facts in each case, will be referred to the regional director, who may finally approve or disapprove such request.

(d) Interment in national cemeteries prior to receipt of authorization for interment from The Quartermaster General, will be the exception rather than the rule. When the superintendent has not received authority for interment in time to permit the interment as tentatively scheduled, he will telephone or telegraph The Quartermaster General for instructions. Upon consideration of the data available, The Quartermaster General will make determination as to whether interment will be permitted subject to execution by the next of kin, or other person who has authority to direct disposition of the remains, to the effect that should it be determined that such interment was not authorized under existing laws and regulations, they will, upon request, have the remains removed

from the cemetery without expense to the Government. The cemetery superintendent will obtain the signed agreement in advance of accepting custody of the remains in all such cases.

§ 4.17 Interment cost.

(a) All work incident to interment will be done by cemetery labor without cost to relatives or friends. Superintendents will inform funeral directors or others arranging for interments that the acceptance of fees or gratuities by cemetery employees is prohibited.

(b) Cemetery personnel will not act as pallbearers. Superintendents will inform funeral directors in charge of funerals of this regulation in advance of funeral services.

§ 4.18 Burial permits.

Burial permits, usually a part of the death certificate, are required for all interments except those of cremated remains. In such cases burial permits will be required only where state law makes them mandatory. It is permissible to inter, prior to receipt of the burial permit, the remains of members of the Armed Forces who die on active duty.

§ 4.19 Utilization and reservation of gravesites.

(a) Not more than a total of two adjoining (side-by-side) gravesites will be used and reserved for the instant and eventual interment of the persons involved in the spouse and parent-child relationship, viz: service-connected person, spouse, and children of the service-connected person.

(b) When a service-connected person is interred, an adjoining gravesite may be reserved for the eventual interment of the nonservice-connected spouse, provided space is available and a written request for the gravesite reservation is received. When request for a gravesite reservation is received and an adjoining gravesite is not available, option will be given for—

(1) Interment in the same gravesite with the service-connected spouse.

(2) Removal at private expense of the remains of the service-connected spouse to a location where two adjoining gravesite locations are available.

(c) No gravesites will be assigned in advance of their requirements for burial purposes. Reservation of a gravesite for the widow of a nonrecoverable member of the Armed Forces of the United States (lost or buried at sea or officially determined to be permanently absent in a status of missing or missing in action) is not authorized. Space in such cases will be assigned as needed.

(d) If it is not possible to make reservation of an adjoining gravesite for the surviving spouse of a member of a group burial, the reservation of an adjacent or neighboring gravesite is authorized.

(e) The Quartermaster General will communicate periodically with surviving nonservice-connected spouses having reservations for the purpose of determining whether it is desired that the reservation remain in force. If it is not possible to obtain a request for continuation of the reservation, such reservation is subject to cancellation. Cancellation of an adjoining gravesite reservation will not preclude burial of the survivor under one of the options shown in paragraph (b) of this section.

§ 4.20 Burial sections.

(a) Layout plans for burial sections in all national cemeteries will be approved by the Director. Sizes of gravesites will conform to dimensions designated by The Quartermaster General.

(b) Burials in unused gravesites in existing established sections of national cemeteries will be in accordance with policies that were in effect for the different categories of decedents at the time the specific section within the cemetery was established.

(c) In all new sections to be developed, interments will be made without distinction as to race and rank. Group interments in new sections will be made in the same section with individual interments. No new separate sections will be established exclusively for group interments.

(d) As the need arises for the use of new sections for burials, such cases will be forwarded to the Director for approval. Plans and recommendations for resolving the situation will accompany the request for final decision.

§ 4.21 Disinterments.

(a) Interments of eligible remains in national cemeteries are considered to be permanent and final and disinterments will not be permitted except upon approval of the Director. Disinterments and removal of remains from a national cemetery will be approved only when next of kin (includes the person who directed the initial interment if still living) give their consent and establish cogent reasons for the disinterment, or in recognition of a court order directing the disinterment.

(b) All requests for authority to disinter remains will be submitted to the Director, and must state the reason for desiring the disinterment and be accompanied by the following documents:

(1) Notarized affidavits by all close living relatives of the deceased, stating that they interpose no objection to the proposed disinterment. "Close relatives" are defined as surviving spouse, parents, adult brothers and sisters, and adult children and will include the person who directed the initial interment, if living.

(2) A sworn statement, by a person having knowledge thereof, that those who supplied such affidavits comprise all the living close relatives of the deceased.

(c) In lieu of the documents required in paragraph (b) of this section, an order of a court of competent jurisdiction will be considered.

(d) Any disinterment that may be authorized under this section must be accomplished without expense to the Government.

HEADSTONES AND MARKERS

§ 4.22 Headstones and markers.

Headstones and markers, authorized to be furnished at Government expense will be provided under rules and regulations promulgated by the Secretary of the Army.

§ 4.23 Private monuments and markers for graves.

(a) Erection of monuments and markers at private expense to mark graves in lieu of Government headstones or markers is restricted to sections in existing national cemeteries in which private monuments and markers were authorized as of 1 January 1947. Approval of the Director for erection of a private monument or marker in a national cemetery must be obtained in advance and is conditional upon the next of kin agreeing to maintain it in a manner acceptable to the Government; otherwise the Government reserves the right to remove and dispose of the monument or marker and to replace it with a standard Government-type stone. Erection of private stones will conform to standards prescribed by the Director.

(b) Monuments will be of simple design, dignified, and in keeping with a military cemetery. Ledger monuments, except as may be authorized under § 4.22 for marking group burials, monuments of cross design, and mausoleums or overground vaults are prohibited. Underground vaults may be placed at private expense, if desired, at time of interment.

(c) A drawing or blueprint showing detailed specifications as to design, materials of which to be constructed, finish, carving, lettering, etc., and exact inscription to appear on the monument or marker must be forwarded to the Director, for prior approval. A scale drawing (not less than 1″=1′) will be acceptable, but must show all dimensions.

(d) The dimensions of any monument will be governed by the size of the gravesite or lot (two gravesites) on which it is to be erected.

(e) The erection of a monument to span two graves will be permitted only in those sections which are laid out in lots.

(f) Separate monuments may be erected on a lot for the serviceman or woman and his or her spouse, provided each monument is set at the head of the grave, but only after the pertinent interment has been made.

(g) Appropriate inscriptions will be placed on the monument in accordance with the dimensions of the stone and arranged in such manner as to add to the appearance of the stone. Inscriptions will be restricted to those prescribed or approved by the Director.

(h) Details as to the following will be approved by the Director:

(1) Style and type of lettering for inscriptions.

(2) Materials to be used in the construction of monuments and markers.

(3) Finish to be applied to monuments and markers in their construction.

(4) Types of foundation.

(5) All other related matters.

(i) Except as provided for in § 4.24, the erection of monuments, memorials, and tablets for the purpose of commemorating events, units, groups, and organizations is not permitted in national cemeteries.

(j) Footstones (foot markers) are permitted only at the foot of those graves

in lots that are marked with a private monument and only when such private monument is erected to span the center line of the lot.

§ 4.24 Private memorials and commemorative tablets.

(a) *Purpose.* (1) The purpose of this section is to implement the act of August 27, 1954 (68 Stat. 880), as amended by Act July 3, 1956 (70 Stat. 489), which provides that the Secretary of the Interior and the Secretary of the Army shall set aside, when available, suitable plots in the national cemeteries under their jurisdiction to honor the memory of members of the Armed Forces missing in action or who died or were killed while serving in such forces, and whose remains have not been identified, have been buried at sea, or have been determined to be nonrecoverable, and to permit the erection of appropriate markers thereon in honor of any such member or group of members. The regulations in this section govern the erection of private memorial markers in national cemeteries under the jurisdiction of the Department of the Interior, a list of which is set forth in § 4.3. The source of the regulations in this section is the "Joint Regulation" of the Secretary of the Interior and the Secretary of the Army, issued pursuant to the act of August 27, 1954, supra, and effective January 26, 1956.

(b) *Scope*—(1) *Those who may be memorialized.* Those members of the Armed Forces of the United States whose deaths occurred during a period when the United States was at war or as a result of military operations; whose remains have not been identified, have been buried at sea, or have been determined officially to be nonrecoverable; and on whom there has been either:

(i) A report of missing in action and a subsequent official finding of death; or

(ii) An official report of death in action. "In action" as used in this paragraph characterizes the casualty status as having been the direct result of hostile action; sustained in combat and related thereto; or sustained going to or returning from a combat mission, provided the occurrance was directly related to hostile action.

(2) *Extent of memorialization.* The erection of a private marker may be authorized to memorialize a person or a group of persons. Only one individual marker will be authorized for the memorialization of a person; however, the erection of an individual marker to a person will not preclude the inscription of his name on a group marker.

(c) *Application for memorialization.* (1) Application for authority to erect a private memorial marker shall be submitted to the Director, whose approval should be obtained prior to fabrication of the marker, since erection will not be permitted except cn compliance with the conditions specified in the regulations in this part.

(2) Application for permission to erect an individual marker must be submitted by the legal next of kin of the decedent or the authorized representative of the legal next of kin.

(3) Application for permission to erect a group marker may be submitted by a person, a group of persons, or an organization. Each group-marker application must be accompanied by (i) a list of names of the persons to be m morialized and other data desired for inscription on the marker; (ii) the written approval of the legal next of kin of each person whose name is to be inscribed on the marker; and (iii) a scale plan depicting the details of the design, materials, finish, carving, lettering, and arrangement of inscription.

(4) The Quartermaster General will determine the eligibility of the persons or groups of persons to be memorialized.

(5) The Director will exercise approval authority and control over assignment of plots for and the design, type, size, materials, inscription, and erection of the memorial markers. Approval for erection will be conditional upon the applicant's granting to the Department of the Interior the substantive right to remove and dispose of the marker, if the applicant fails to maintain it in a condition acceptable to the Department.

(d) *Markers which may be authorized.* (1) Memorial markers will conform to the type, size, materials, design, and specifications prescribed for the cemetery section in which the memorial marker is to be erected. The inscriptions will conform to those authorized to mark graves in national cemeteries and in addition will include the words "In Memoriam" or "In Memory Of" as mandatory elements. The inscription on a memorial marker may not include the name of the person or group of persons or the name or insignia of an organization, fraternity, or society responsible for the purchase and erection of the marker.

(e) *Cost and maintenance.* (1) The cost of the private memorial markers, transportation, and erection in the cemetery will be at no expense to the Government. The Department of the Interior will assume no liability or responsibility incident to the purchase, fabrication, delivery, erection, maintenance of, or damage to private memorial markers.

PENALTIES

§ 4.25 Penalties.

Any person who violates any provision of the rules and regulations in this part, or as the same may be amended or supplemented, in regard to any national cemetery under the jurisdiction of the Secretary of the Interior shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $500 or imprisonment for not exceeding 6 months, or both, and be adjudged to pay all costs of the proceedings.

PART 5—PRIVATE LANDS SUBJECT TO EXCLUSIVE JURISDICTION OF THE UNITED STATES.

Sec.
5.1 Applicability.
5.2 Fishing.
5.3 Fires.
5.4 Protection of wildlife.
5.5 Firearms.
5.6 Gambling.
5.7 Discrimination in furnishing public accommodations.
5.8 Intoxicating liquors.

AUTHORITY: §§ 5.1 to 5.8 issued under secs. 1–3, 39 Stat. 535, as amended, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3.

§ 5.1 Applicability.

The regulations in this part shall be applicable to privately owned lands within the following national parks, exclusive jurisdiction over which is vested in the United States: Crater Lake, Glacier, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone, and Yosemite.

§ 5.2 Fishing.

(a) Any person fishing in the waters of the parks listed in § 5.1 shall secure a sport fishing license as required by the laws of the State in which such waters of the park are situated, except that no such said license shall be required of any person fishing in the waters of Glacier, Mount McKinley, Mount Rainier, Olympic, and Yellowstone National Parks.

(b) All fishing in the waters of the parks listed in § 5.1 shall be done in conformity with the laws of the State or territory in which such waters of the park are situated regarding open seasons, size of fish, and the limit of catch, except as otherwise provided in the following paragraphs:

(c) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in the hands, is prohibited.

(d) Fishing in particular waters may be suspended, or restricted, in regard to the use of particular kinds of bait under special regulations.

(e) The number of fish that may be taken by one person in any one day from the various lakes and streams shall be limited to 10 fish, unless otherwise provided by special regulations.

(f) Possession of more than 2 days' catch by any person at any one time is prohibited, unless otherwise provided by special regulations.

(g) No fish less than 6 inches long may be retained unless a different limit be established by special regulations. All fish hooked less than such limit in length shall be carefully handled with moist hands and returned at once to the water if not seriously injured. Undersized fish retained because seriously injured shall be counted in the number of fish which may be taken in one day.

(h) The possession of live or dead minnows, chubs, or other bait fish, or the use thereof as bait, is prohibited.

(i) The canning or curing of fish for the purpose of transporting them out of any of the said parks is prohibited.

(j) The possession of fishing tackle or fish upon or along any waters closed to fishing shall be prima facie evidence that the person or persons having such fishing tackle or fish are guilty of unlawful fishing in such closed waters.

(k) State fishing licenses, where required, and all fish taken shall be exhibited, upon demand, to any person authorized to enforce the provisions of the regulations in this part.

§ 5.3 Fires.

(a) Fires on privately owned lands within any of the parks listed in § 5.1 shall not be kindled near or on the roots of trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or earth. On public campgrounds the regular fireplaces constructed for the convenience of visitors shall be used. Should camp be made in a locality where no such open space exists or is provided, the dead wood, moss, dry leaves, etc., shall be scraped away to the rock or earth over an area considerably larger than that required for the fire.

(b) Fires shall be lighted on privately owned lands within the said parks only when necessary, and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

(c) Permission to burn in connection with any clean-up operation on privately-owned lands within the said parks shall first be obtained, in writing, from the office of the superintendent, and in such cases as it is deemed advisable such burning will be under Government supervision. All costs of suppression and all damage caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

(d) No lighted cigarette, cigar, pipe heel, match, or other burning material shall be thrown from any vehicle or saddle horse or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material on any privately owned lands within any of the said parks.

(e) The building of fires on privately owned lands within the said parks may be prohibited or limited by the superintendent when, in his judgment, the hazard makes such action necessary.

§ 5.4 Protection of wildlife.

(a) The parks are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, capturing, or attempting to kill, wound, frighten, or capture at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited on privately owned lands within the parks listed in § 5.1.

(b) Unauthorized possession on privately owned lands within any of the said parks of the dead body, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this section.

(c) The carcasses of animals or birds or parts thereof, unlawfully taken or possessed on privately owned lands within any of the said parks, shall be seized and shall be disposed of as the superintendent may prescribe.

(d) During the hunting season, arrangements shall be made at entrance stations to identify and transport within or through the said parks, where necessary, the carcasses of birds or animals legally killed outside the parks.

§ 5.5 Firearms.

Firearms, explosives, traps, seines, and nets are prohibited on privately owned lands within the parks listed in § 5.1, except upon written permission of the superintendent.

§ 5.6 Gambling.

Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited on privately owned lands within the parks wherein the regulations of this part are applicable.

§ 5.7 Discrimination in furnishing public accomodations.

The proprietor, owner, or operator and the employees of any hotel, inn, lodge, or other public accommodation within any of the parks listed in § 5.1 are prohibited from (a) publicizing such facilities in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage of any person or persons because of race, creed, color, or national origin; and (b) discriminating against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodations, facilities, or privileges offered to or enjoyed by the general public.

§ 5.8 Intoxicating liquors.

(a) No alcoholic, spirituous, vinous, or fermented liquor, containing more than one per cent of alcohol by weight, shall be sold on any privately-owned lands within any of the national parks listed in § 5.1 unless a permit for the sale thereof has first been secured from the appropriate regional director.

(b) In granting or refusing applications for permits as herein provided, the regional directors shall take into consideration (1) the character of the neighborhood, (2) the availability of other liquor-dispensing facilities, (3) the local laws governing the sale of liquor, and (4) any other local factors which, in their judgment, have a relationship to the privilege requested.

(c) A fee will be charged for the issuance of such a permit, corresponding to that charged for the exercise of similar privileges outside the national park boundaries by the local State Government, or appropriate political subdivision thereof within whose exterior boundaries the place covered by the permit is situated.

(d) The applicant or permittee may appeal to the Director, National Park Service, from any final action of the appropriate regional director refusing, conditfoning or revoking the permit.

Such an appeal, in writing, shall be filed within twenty days after receipt of notice by the applicant or permittee of the action appealed from. Any final decision of the Director may be appealed to the Secretary of the Interior within 15 days after receipt of notice by the applicant or permittee of the Director's decision.

(c) The revocable permit for sale of intoxicating liquors authorized in this section to be issued by the appropriate regional director shall contain general regulatory provisions as hereinafter set forth, and will include such special conditions as the regional director may deem necessary to cover existing local circumstances, and shall be in a form substantially as follows:

FRONT OF PERMIT

No. _____ Form No. _____
Year 19____ (_____, 1948)

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

REVOCABLE PERMIT FOR SALE OF INTOXICATING LIQUORS ON PRIVATELY OWNED LANDS

Permission is hereby granted _____ of _____, during the period from _____, 19____, to _____, 19____, inclusive, to sell the following mentioned intoxicating liquors _____ within (an established place of business) (a place of business to be established) (strike out one) on the following described privately owned lands within _____ National Park, over which the United States exercises exclusive jurisdiction_____
_____
_____
subject to the general provisions and any special conditions stated on the reverse hereof and subject also to the payment to the Government of the United States of the sum of _____ dollars ($_____)
_____
(annually) (quarterly) (monthly)
in advance, payment to be made through the Superintendent of the Park. Payment shall be tendered by money order, check or draft payable to the Treasurer, United States of America. Payment shall not be considered as made until the funds are collected by the United States.

Issued at _____, this _____day of _____, 19_____.

_____
Superintendent.

The undersigned hereby accepts the above permit subject to the terms, covenants, obligations, and reservations expressed or implied therein, with the understanding that this permit shall not be valid until approved by the appropriate regional director.

[1]_____
Address: _____
_____
Address: _____
Two witnesses to signature(s):
_____
Address: _____
_____
Address: _____
Approved:
_____
Regional Director, Region _____

[1] Sign name or names as written in body of permit; for copartnership permittees should sign as "Members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the secretary, with corporate seal, in lieu of witnesses.

REVERSE OF PERMIT

GENERAL REGULATORY PROVISIONS OF THIS PERMIT

1. Permittee shall exercise this privilege subject to the supervision of the Superintendent of the Park and shall comply with the regulations of the Secretary of the Interior governing the Park.

2. Any building or structure used for the purpose of conducting the business herein permitted shall be kept in a safe, sanitary and sightly condition.

3. Permittee shall dispose of brush and other refuse from the business herein permitted as required by the Superintendent.

4. Permittee shall pay to the United States for any damage resulting to Government-owned property from the operation of the business herein permitted.

5. Permittee, his agents, and employees shall take all reasonable precautions to prevent forest fires and shall assist the Superintendent to extinguish forest fires within the vicinity of the place of business herein permitted, and in the preservation of good order within the vicinity of the business operations herein permitted.

6. Failure of the permittee to comply with all State and county laws and ordinances applicable to the sale of intoxicating liquors, except provisions requiring payment of license fees, or to comply with any law or any regulations of the Secretary of the Interior governing the Park, or with the conditions imposed by this permit, will be ground for revocation of this permit. The permit may be revoked by the regional director at any time in his discretion.

7. No minor may be employed by the permittee in the sale or dispensing of intoxicating liquors permitted under this permit.

8. No intoxicating liquors shall be sold to a minor.

9. No disorderly conduct shall be permitted on the premises.

10. This permit may not be transferred or assigned without the consent, in writing, of the appropriate regional director.

11. Neither members of, nor delegates to Congress, or Resident Commissioners, officers, agents, or employees of the Department of the Interior shall be admitted to any share or part of this permit or derive, directly or indirectly, any pecuniary benefit arising therefrom.

12. The following special provisions are made a part of this permit:

PART 6—VEHICLE, GUIDE, ADMISSION, AND MISCELLANEOUS FEES

Sec.
6.1 General.
6.2 Automobile, motorcycle, and house trailer permits.
6.3 Commercial passenger-carrying vehicles.
6.4 Trucking permits.
6.5 Vehicles; miscellaneous.
6.6 Guide and elevator service in caves.
6.7 Guide service; miscellaneous.
6.8 Elevator service; miscellaneous.
6.9 Admission; miscellaneous.
6.10 Wharfage.
6.11 Motor vessel transportation.
6.12 Commercial fishing.
6.13 Hospital service.

AUTHORITY: §§ 6.1 to 6.13 issued under secs. 1–3, 39 Stat. 535, as amended, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3.

§ 6.1 General.

(a) The fees prescribed in this part for the operation of commercial vehicles shall not be applicable to vehicles institutionally owned or chartered, carrying exclusively members of educational, welfare, or scientific organizations, inmates of charitable institutions, and members of generally recognized nonprofit organizations, when the trip to the area is officially initiated, organized, and directed by such organizations.

(b) Personal admission, guide, and elevator fees prescribed in this part shall not be applicable to children under 12 years of age, or groups of elementary and high school children and the accompanying adults who assume responsibility for their safety and orderly conduct.

(c) In proper cases and, upon application made in advance, where practicable, the Director, Regional Directors, or Park Superintendents may waive the fees prescribed in this part when, in their judgment, such action is deemed in the best interest of the United States.

(d) Park Superintendents may, when in the public interest, prescribe seasonal periods during which the collection of vehicle, guide, admission or other fees prescribed for such area shall be suspended.

§ 6.2 Automobile, motorcycle, and house trailer permits.

(a) Fees for automobile permits are as follows:

	Yearly permit	15-day permit unless otherwise stated
Bryce Canyon National Park	$2.00	$1.00
Crater Lake National Park	2.00	1.00
Glacier National Park	4.00	2.00
Grand Canyon National Park	2.00	1.00
Grand Teton National Park	2.00	1.00
Lassen Volcanic National Park	2.00	1.00
Mesa Verde National Park	2.00	1.00
Mount Rainier National Park	2.00	1.00
Rocky Mountain National Park	2.00	1.00
Sequoia-Kings Canyon National Parks	4.00	2.00
Shenandoah National Park and the section of the Blue Ridge Parkway between Jarman Gap and Rockfish Gap	1.00	[1] .50
Yellowstone National Park	6.00	3.00
Yosemite National Park	6.00	3.00
Zion National Park	2.00	1.00
Bandelier National Monument	1.00	.50
Colorado National Monument	1.00	.50
Craters of the Moon National Monument	1.00	.50
Devils Tower National Monument	1.00	.50
Lava Beds National Monument	1.00	.50
Petrified Forest National Monument	1.00	.50
Pinnacles National Monument	1.00	.50
Scotts Bluff National Monument	.50	.25
White Sands National Monument	1.00	.50
Kennesaw Mountain National Battlefield Park	1.00	[1] .50

[1] Per trip.

(b) Fees for motorcycle permits are as follows:

	Yearly permit	15-day permit unless otherwise stated
Bryce Canyon National Park	$2.00	$1.00
Crater Lake National Park	2.00	1.00
Glacier National Park	2.00	1.00
Grand Canyon National Park	2.00	1.00
Grand Teton National Park	2.00	1.00
Lassen Volcanic National Park	2.00	1.00
Mesa Verde National Park	2.00	1.00
Mount Rainier National Park	2.00	1.00
Rocky Mountain National Park	2.00	1.00
Sequoia-Kings Canyon National Parks	2.00	1.00
Shenandoah National Park and the section of Blue Ridge Parkway between Jarman Gap and Rockfish Gap	1.00	[1] .50
Yellowstone National Park	2.00	1.00
Yosemite National Park	2.00	1.00
Zion National Park	2.00	1.00
Bandelier National Monument	1.00	.50
Colorado National Monument	1.00	.50
Craters of the Moon National Monument	1.00	.50
Devils Tower National Monument	1.00	.50
Lava Beds National Monument	1.00	.50
Petrified Forest National Monument	1.00	.50
Pinnacles National Monument	1.00	.50
Scotts Bluff National Monument	.50	.25
White Sands National Monument	1.00	.50
Kennesaw Mountain National Battlefield Park	1.00	[1] .50

[1] Per trip.

(c) Fees for house trailer permits are as follows:

	Yearly permit	15-day permit unless otherwise stated
Bryce Canyon National Park	$2.00	$1.00
Crater Lake National Park	2.00	1.00
Glacier National Park	4.00	2.00
Grand Canyon National Park	2.00	1.00
Grand Teton National Park	2.00	1.00
Lassen Volcanic National Park	2.00	1.00
Mesa Verde National Park	2.00	1.00
Mount Rainier National Park	2.00	1.00
Rocky Mountain National Park	2.00	1.00
Sequoia-Kings Canyon National Parks	4.00	2.00
Shenandoah National Park and the section of Blue Ridge Parkway between Jarman Gap and Rockfish Gap	1.00	[1] .50
Yellowstone National Park	6.00	3.00
Yosemite National Park	6.00	3.00
Zion National Park	2.00	1.00
Bandelier National Monument	1.00	.50
Colorado National Monument	1.00	.50
Craters of the Moon National Monument	1.00	.50
Devils Tower National Monument	1.00	.50
Pinnacles National Monument	1.00	.50
White Sands National Monument	1.00	.50

[1] Per trip.

(d) Any 15-day permit may be exchanged for an annual permit for the same vehicle at any time prior to the expiration date of the 15-day permit, and the purchase price of the 15-day permit will be allowed in the exchange.

(e) To promote the purpose of the act of May 2, 1932 (47 Stat. 145; 16 U.S.C., 161a), Canadian dollars tendered by Canadian visitors entering the United States section of Glacier National Park will be accepted at the official rate of exchange in payment of the foregoing entrance fees prescribed for the park.

(f) No fee shall be charged residents of Coconino County, Arizona, or Kanab, Utah, entering Grand Canyon National Park, or residents of Washington and Kane Counties, Utah, or residents of that part of Coconino County, Arizona, lying north and west of the Colorado River, entering Zion National Park, or residents of Garfield and Kane Counties, Utah, entering Bryce Canyon National Park, in the conduct of their usual occupation or business.

(g) The fees relating to Sequoia and Kings Canyon National Parks, prescribed in this section, shall not be collected in cases where such a collection would interfere with the movement of stock and vehicular traffic without charge to and from national forest lands on either side of the lands added to the General Grant Grove section of Kings Canyon National Park pursuant to Proclamation No. 2411 of June 21, 1940 (54 Stat. 2710), issued pursuant to the act of March 4, 1940 (54 Stat. 41; 16 U.S.C. 80a).

(h) No fee shall be charged for automobiles, trucks, motorcycles, or trailers using the section of U.S. Highway No. 191 in Yellowstone National Park, or for passenger vehicles owned by legally registered voters of Cooke, Montana, operating directly between the north and northeast entrances of the park.

§ 6.3 Commercial passenger-carrying vehicles.

(a) *Fees.* Fees for commercial passenger-carrying vehicles admissable to the respective parks under § 1.36 of this chapter will be charged as follows:

	§ 1.36 (a)(1)	§ 1.36 (a)(2)	§ 1.36 (a) (3) and (4)
			[2]
Bryce Canyon National Park	$1.00	$10.00	$1.00
Crater Lake National Park	1.00	10.00	1.00
Glacier National Park	2.00	[1] 10.00	--------
Grand Canyon National Park	1.00	10.00	--------
North Rim only	--------	--------	1.00
Grand Teton National Park	1.00	10.00	--------
Lassen Volcanic National Park	1.00	10.00	1.00
Mesa Verde National Park	1.00	10.00	1.00
Mount McKinley National Park	--------	10.00	--------
Mount Rainier National Park	1.00	10.00	1.00
Rocky Mountain National Park	1.00	10.00	1.00
Sequoia-Kings Canyon National Parks	2.00	10.00	2.00
Yellowstone National Park	3.00	10.00	2.00
Yosemite National Park	3.00	10.00	--------
Zion National Park	1.00	10.00	1.00
Cedar Breaks National Monument	--------	10.00	--------

[1] More than 8 passenger seats $10.00. Less than 8 passenger seats $5.00.
[2] Per passenger seat in vehicle.

(b) *Colonial National Historical Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on any portion of the Colonial Parkway, Colonial National Historical Park. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: $3.50 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: $1.00 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 5-passenger vehicle: $1.00.

(4) Permit good for one day, more than 5-passenger vehicle: $3.00.

(c) *Everglades National Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on any portion of the park road in Everglades National Park. The fees for such permit shall be as follows:

(1) Annual permit for calendar year: $3.00 for each passenger-carrying seat in the vehicle to be operated:

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: $1.00 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 7-passenger vehicle or less: $1.00 per vehicle.

(4) Permit good for one day, more than 7-passenger vehicle: $10.00 per vehicle.

(d) *Great Smoky Mountains National Park; permits.* Permits issued by the Superintendent, and compliance with applicable state and federal regulations, shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire within the park. The fee for such permits shall be as follows:

(1) Annual permit for calendar year: $1.00 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: 25 cents for each passenger-carrying seat in the vehicle to be operated.

(3) In addition to the permit required in subparagraphs (1) and (2) of this section, a guide permit issued by the Superintendent shall be required for each driver of a commercial passenger-carrying vehicle, including taxicabs, carrying passengers for hire within the park. Such a permit will be issued by the Superintendent upon a showing to his satisfaction that the applicant possesses adequate knowledge of the park's road system and points of interest, and has complied with all applicable state and federal regulations. The fee for a guide permit shall be $5.00 for the calendar year, or any part thereof.

(e) *Mammoth Cave National Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire within the park. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: $2.50 for each passenger-carrying seat in the vehicle.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: 65 cents for each passenger-carrying seat in the vehicle.

(3) Permit for one day: $1.00 per vehicle.

(f) *Shenandoah National Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on the Skyline Drive in Shenandoah National Park, and that section of the Blue Ridge Parkway between Jarman Gap and Rockfish Gap. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: $3.50 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: $1.00 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 11-passenger vehicle or less: $2.00.

(4) Permit good for one day, more than 11-passenger vehicle: $10.00

(g) *Kennesaw Mountain National Battlefield Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on the Kennesaw Mountain Road, Kennesaw Mountain National Battlefield Park. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: $2.50 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: $.65 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 5-passenger vehicle: $1.00.

(4) Permit good for one day, more than 5-passenger vehicle: $2.00.

(h) *National Capital Parks (George Washington Memorial Parkway); permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles on the George Washington Memorial Parkway, as stated in § 3.36 of this chapter. The fees for such permits shall be as follows:

(1) Annual permit effective from April 1 until the following March 31, at the rate of $3 for each passenger-carrying seat in every vehicle so operated.

(2) A quarterly permit may be procured for a fee of 75 cents for each passenger-carrying seat in such vehicle. A quarterly permit may be effective for quarterly increments.

(3) Permits for operation of any such vehicle on the parkway for a single day may be procured at the rate of $1 per vehicle per day.

§ 6.4 **Trucking permit.**

(a) *Crater Lake National Park.* (1) With reference to the trucking permits that may be issued at the discretion of the Superintendent, as stated in § 7.2 of this chapter, non-commercial trucking fees will be charged as follows, on rated capacity:

	Fee
Vehicle, 1 ton or less	$1.00
Vehicle, over 1 ton but not more than 2 tons	2.00
Vehicle, over 2 tons but not more than 3 tons	3.00
Vehicle, over 3 tons but not more than 5 tons	4.00
Vehicle, over 5 tons but not more than 10 tons	5.00
Vehicle, over 10 tons	10.00

(2) The fees listed above shall entitle the holder to one round trip if performed on the same day of issue; otherwise, the fee will be for a one-way trip.

(3) Nothing in this section shall be construed to prohibit trucks used in connection with park operation.

(4) The fees established in this section shall also apply to special emergency trucking permits issued pursuant to § 1.37(b) of this chapter.

(b) *Rocky Mountain National Park.* (1) With reference to the permits that may be issued by the Superintendent, as stated in § 7.7 of this chapter, fees charged for trucking over the Trail Ridge Road shall be as follows:

	Fee
Vehicle, 1 ton or less	$2.00
Vehicle, over 1 ton but not more than 2 tons	3.00
Vehicle, over 2 tons but not more than 3 tons	4.00
Vehicle, over 3 tons but not more than 5 tons	5.00
Vehicle, over 5 tons but not more than 10 tons	10.00

(2) The applicable fee shall be charged for the licensed capacity of a truck, trailer, or semi-trailer.

(3) The fee charged is for one round trip, provided such trip is made in one day, otherwise the fee is for a one-way trip.

(4) No vehicle which has a gross weight, including vehicle and load, in excess of 10 tons, shall be operated or moved on the Trail Ridge Road.

(5) The fees provided in this paragraph shall also apply to special emergency trucking permits issued pursuant to § 1.37(b) of this chapter.

(c) *Yellowstone National Park.* (1) With reference to the permits that may be issued by the Superintendent, as stated in §7.13 of this chapter, trucking fees for the use of park roads shall be charged as follows:

Emergency trucking between any two park entrances—Round trip permit fee, $10.

Trucking between the north and northeast entrances:

Trucks with a capacity of ¾ ton, but with a capacity of not more than 1½ tons—Yearly permit fee, $20.

Trucks with a capacity of more than 1½ tons—Yearly permit fee, $40.

(d) *Yosemite National Park.* (1) The fees for special trucking permits issued by the Superintendent in emergencies pursuant to paragraph (b) of § 1.37 of this chapter shall be based on the licensed capacity of trucks, trailers, or semi-trailers, as follows:

Trucks, less than 1 ton.	Appropriate automobile permit fee.
Trucks of 1 ton and over, but not to exceed 10 tons.	$5 for each ton or fraction thereof.

(i) The fee charged is for one round trip between any two park entrances, provided such trip is made within one 24-hour period; otherwise the fee is for a one-way trip.

(ii) Trucks carrying bona fide park visitors and/or their luggage or camping equipment may enter the park upon payment of the regular automobile fee.

(2) The fee provided in subparagraph (1) of this paragraph also shall apply to permits which the Superintendent may issue for trucking through one park entrance to and from privately-owned lands contiguous to the park boundaries, except that such fee shall be considered an annual vehicle fee covering the use of park roads between the point of access to such property and the nearest park exit connecting with a state or county road.

(3) No commercial trucks will be permitted on the Tioga Road except those used in connection with the activities of the United States Government, the State of California, or agencies operating under contract or agreement with the United States Government to render service to the public in the park, or trucks delivering supplies, materials, etc., to the United States Government, the State of California, or contractors or permittees in the park.

(e) *Zion National Park.* Vehicles exceeding certain size limitations must be convoyed over the park roads, as stated in § 7.10 of this chapter, for which a fee of $5 per single trip will be charged for each vehicle or combination of vehicles, including vehicles entitled to waiver of the automobile permit fee in accordance with § 6.2(f). For vehicles not entitled to such waiver the convoy fee shall be in addition to the automobile permit fee.

(f) *"Vehicle."* The word "vehicle", as used in this section, shall mean truck, tractor, trailer, semi-trailer, and/or any combination thereof.

§ 6.5 Vehicles; miscellaneous.

(a) *Colonial National Historical Park.* There shall be charged a fee of 25 cents for each passenger car and a fee of $1.00 for each bus or truck entering the Yorktown bathing beach and picnic area on Saturdays, Sundays, and holidays from May 30 through Labor Day. The truck or bus fee is not applicable to trucks used as family vehicles. The fee is applicable to all buses and to trucks carrying groups. The automobile fee of $0.25 is applicable to trucks used as family vehicles.

(b) *Yosemite National Park.* As stated in § 7.16(f) of this chapter, motor vehicles driven or moved upon a park road in Yosemite National Park must be registered and properly display current license plates. Such registration may be with a State or other appropriate authority or, in the case of motor vehicles operated exclusively on park roads, with the Superintendent of the park. An annual registration fee of $6 will be charged for vehicles registered with the Superintendent which are not connected with the operation of the park.

§ 6.6 Guide and elevator service in caves.

No person or persons shall be permitted to enter caves in the areas listed below unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which the following fees shall be charged each person entering the cave:

	Fee
Carlsbad Caverns National Park	$1.50
Crystal Cave, Sequoia National Park	.50
Jewel Cave National Monument	.50
Lehman Caves National Monument	.50
Mammoth Cave National Park:	
Route:	
No. 1—Echo River	1.50
No. 2—Frozen Niagara	1.50
No. 3—Historic	1.50
No. 4—All Day	2.50
No. 5—Scenic	2.00
No. 6—Crystal Lake	1.50
No. 7—Mammoth Dome	1.50
Timpanogos Cave National Monument	.50
Wind Cave National Park	.75

The fees shall include Federal tax and elevator service when applicable.

§ 6.7 Guide service; miscellaneous.

A guide fee shall be charged each person taking a guided trip through the following areas:

	Trip fee
Casa Grande National Monument	$0.25
Chaco Canyon National Monument	.25

§ 6.8 Elevator service; miscellaneous.

(a) *Perry's Victory and International Peace Memorial.* A fee of 25 cents shall be charged each person using the elevator in Perry's Victory and International Peace Memorial: *Provided,* That organized groups of persons from clubs, associations, etc., may be granted a special rate of 10 cents per person.

(b) *Statue of Liberty National Monument.* A fee of 5 cents in each direction shall be charged each person using the elevator in the Statue of Liberty.

(c) *Washington Monument National Memorial.* A fee of 10 cents shall be charged each person using the elevator to ascend the Washington Monument.

§ 6.9 Admission; miscellaneous.

(a) An admission fee shall be charged each person entering the following areas:

Aztec Ruins National Monument	$0.25
Castillo de San Marcos National Monument	.25
Edison Laboratory National Monument	.50
El Morro National Monument	.25
Fort Pulaski National Monument	.25
Fort Raleigh National Historic Site (except after 6 p.m. on days when the pageant, "The Lost Colony," is presented by the Roanoke Island Historical Association)	.25
George Washington Birthplace National Monument	.25
Montezuma Castle National Monument	.25
Tonto National Monument	.25
Tumacacori National Monument	.25
Tuzigoot National Monument	.25
Walnut Canyon National Monument	.25

(b) An admission fee shall be charged each person entering the following places:

	Fee
Adams National Historic Site	$0.25
Appomattox Court House National Historical Park—McLean House	.25
Chickamauga and Chattanooga National Military Park—Point Park	.25
Colonial National Historical Park—Moore House	.25
Fort McHenry National Monument and Historic Shrine—Inner Fort	.25
Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park—Museum	.25
Gettysburg National Military Park—Cyclorama Building	.25
Home of Franklin D. Roosevelt National Historic Site (no charge shall be made for persons desiring to visit only the grave of Franklin D. Roosevelt)	.25
House Where Lincoln Died	.10
Custis-Lee Mansion in Arlington National Cemetery	.25
Lincoln Museum	.10
Manassas National Battlefield Park—Museum	.25
Morristown National Historical Park—Ford Museum and Mansion	.25
Ocmulgee National Monument—Museum and Earth Lodge	.25
Salem Maritime National Historic Site—Derby House	.25
Vanderbilt Mansion National Historic Site	.25
Vicksburg National Military Park—Museum	.25

(c) Colonial National Historical Park: A fee of 25 cents shall be charged each person entering the Government area on Jamestown Island and Glasshouse Point in Colonial National Historical Park, except members of the Association for the Preservation of Virginia Antiquities. The fee shall be combined with a fee of 25 cents per person charged for admission to the area owned by the Association for the Preservation of Virginia Antiquities and included within the Jamestown National Historic Site. Officials of the National Park Service and the Association for the Preservation of Virginia Antiquities may admit the general public to the areas under their jurisdiction without charge, upon special occasions, and official complimentary passes issued by either party shall be honored by the other party.

§ 6.10 Wharfage.

(a) *Salem Maritime National Historic Site.* (1) Fees for use of the Government-owned wharf by any privately owned craft shall be charged as follows:

	1 week	1 month
Craft with an over-all length of 15 feet and not more than 25 feet	$1.00	$2.50
Craft with an over-all length of more than 25 feet and not more than 50 feet	1.50	3.75
Craft with an over-all length of more than 50 feet	2.00	5.00

(2) No fee will be charged for the first 2 consecutive days of wharfage in any 7-day period, but any wharfage in excess of the first 2 consecutive days in any 7-day period will be charged for at the weekly rate.

§ 6.11 Motor vessel transportation.

(a) *Isle Royale National Park.* (1) Transportation services between Houghton, Michigan, and Isle Royale National Park, Michigan, rendered aboard Government-owned vessels, shall be charged for at the following rates:

Personal transportation—one way only	$7.50
Personal transportation—round trip	15.00
Transportation of boats up to 14 feet in length—one way only	5.00
Transportation of boats up to 14 feet in length—round trip	10.00
Transportation of boats over 14 feet but limited to 20 feet—one way only	10.00

Transportation of boats over 14 feet but limited to 20 feet—round trip	$20.00
Canoes—round trip	3.00
Outboard motors 3/4 h.p. to 10 h.p.—round trip	3.00
Outboard motors 12 h.p. to 25 h.p.—round trip	5.00
Outboard motors over 25 h.p.—round trip	7.50

(2) The rates mentioned in subparagraph (1) of this paragraph are subject to applicable Federal Transportation Taxes.

(3) Personal transportation for children between the ages of five and twelve, inclusive, will be one-half of the rates mentioned in subparagraph (1) of this paragraph for comparable service. No charge will be made for children under the age of five.

(4) The rates for personal transportation mentioned in subparagraph (1) of this paragraph include the transportation of usual hand baggage and camping gear.

§ 6.12 Commercial fishing.

(a) *Isle Royale National Park.* In those cases where special use permits are issued in conformity with the provisions stated in § 20.2 of this chapter, permittess will be required to pay an annual fee of $25.00.

§ 6.13 Hospital service.

(a) *Mesa Verde National Park.* (1) Services rendered at the Aileen Nusbaum Hospital shall be charged for at the following rates:

(i) First aid and dispensary: Ward bed, including ordinary drugs, or small dressings, and 8 hours of general nursing service per day	$5.00
(ii) Laboratory:	
Urinalysis, chemical only	1.00
Urinalysis, microscopic only	1.00
White blood count	1.00
Red blood count	1.00
Hemoglobin	1.00
Differential	2.00
Complete count with differential	4.00

(2) The rates mentioned in subparagraph (1) of this paragraph shall be subject to the following discounts:

(i) Employees of the National Park Service and the dependent members of their families, 66⅔ per cent. No charge will be made for the first 24 hours of hospitalization, except for services furnished in excess of those normally provided.

(ii) Residents of the park not employed by the National Park Service and dependent members of their families, 33⅓ per cent.

(3) Minor dispensary services will be rendered to all residents of the park without charge.

(4) The provision of the laboratory services enumerated above shall be optional with the Superintendent, depending upon equipment and supplies available for the rendering of such services.

(5) The charges mentioned in subparagraph (1) of this paragraph do not include meals or the services of a physician, which must be arranged for by patients at their own expense.

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Sec.
7.1 Colonial National Historical Park.
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7.45 Everglades National Park.
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7.53 Scotts Bluff National Monument.
7.54 Colorado National Monument.
7.55 Acadia National Park.
7.56 Petersburg National Military Park.
7.58 Cape Hatteras National Seashore Recreational Area; hunting.
7.59 Wind Cave National Park.

AUTHORITY: §§ 7.1 to 7.59 issued under secs. 1–3, 39 Stat. 535, as amended, sec. 1, 46 Stat. 315, sec. 1, 47 Stat. 1420, sec. 2, 49 Stat. 666, 49 Stat. 2041, as amended, 50 Stat. 804, secs. 5, 1, 2, 52 Stat. 29, 407, 408, sec. 2, 54 Stat. 250, sec. 3, 56 Stat. 138, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 9a, 118, 403i, 408g, 445c, 460, 460a, 460a–2, 460a–3.

§ 7.1 Colonial National Historical Park.

(a) *Fishing.* Fishing from bridges within the park is prohibited.

(b) *Travel on roads and trails.* Any road, trail or area within the Park may be closed to public use by order of the Superintendent when, in his judgment, conditions such as fire hazards, work operations, or other dangers make such action necessary for the protection of the Park and of the public.

(c) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 45 miles per hour on park roadways.

(d) *Closing of areas.* The beach and picnic grounds shall be closed daily at 11:00 p. m.

(e) *Landing or launching of boats.* Except when authorized by the Superintendent, no privately-owned boat, canoe, raft or other floating craft shall be launched from land within Colonial National Historical Park and no boat, canoe, raft or other floating craft shall be beached or landed on land within said Park.

§ 7.2 Crater Lake National Park.

(a) *Fishing.* (1) Fishing is permitted in Crater Lake at any time.

(2) The fishing season in park streams shall be from June 15 to September 10, inclusive.

(3) The limit of catch per person per day shall be 10 fish.

(4) Possession of more than one day's catch by any person at any time is prohibited.

(b) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter are as follows:

(1) Basic speed rule:

(i) No person shall drive a vehicle upon a highway at a speed greater than is reasonable and prudent, having due

regard to the traffic, surface and width of the highway, the hazard at intersections and any other conditions then existing.

(ii) No person shall drive at a speed which is greater than will permit the driver to exercise proper control of the vehicle and to decrease speed or to stop as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and with the duty of drivers and other persons using the highways to exercise due care.

(2) 15 miles per hour:

(i) In all campgrounds, parking areas, and places of public assemblage.

(ii) Upon that portion of any highway which passes through or borders upon a scene of emergency, such as forest fires, auto accidents or similar emergency.

(iii) In any business or residence area.

(3) 20 miles per hour:

(i) Upon approaching within 50 feet and in traversing an intersection of highways where the driver's view in either direction along any intersecting highway within a distance of 200 feet is obstructed, except that when traveling upon a through highway or at traffic-controlled intersection, the district speed applies.

(ii) When approaching, or upon a curve or any other part of a highway, in the event the driver's view is obstructed within a distance of 100 feet along the highway in the direction in which such driver is proceeding.

(iii) When approaching or traversing a section of highway posted as "Construction" or "Men Working" or similarly, unless a lesser speed limit is posted.

(4) 35 miles per hour:

(i) That portion of Annie Springs to Rim Highway lying between Park Headquarters and North Junction.

(5) 45 miles per hour on all other paved, public roads in the Park.

(6) Special speed limits:

(i) Whenever the Superintendent, Crater Lake National Park, determines that a temporary condition or situation exists upon or adjacent to a road, which requires a reduced speed limit, the Superintendent may designate a lesser speed limit, which shall be effective when appropriate signs giving notice thereof are erected upon such road.

(7) Any speed in excess of the speeds designated in subparagraphs (2), (3), (4), (5) and (6) of this paragraph shall be prima facie evidence of violation of subparagraph (1) of this subparagraph.

(c) *Trucking.* (1) Trucks with a rated load capacity in excess of ¾ ton are prohibited from using park roads except that trucks carrying bona fide park visitors and/or their luggage or camping equipment may enter the park upon payment of the regular automobile fee.

(2) The Superintendent may, in his discretion, issue permits for the use of park roads for non-commercial trucking, for which fees will be charged as set forth in Part 6 of this chapter.

§ 7.3 Glacier National Park.

(a) *Fishing; open season.* All waters within the Park are open to fishing in conformance with the State of Montana open season for high mountain streams and shall close at 10:00 p.m. on October 15, subject to the following exceptions and restrictions:

(1) Hours of fishing: 5:00 a.m. to 10:00 p.m.

(2) The open season on the Glacier National Park section of Waterton Lake shall conform to the Canadian season for this lake.

(3) All waters of the Waterton and Belly River drainages, except Waterton Lake, shall be closed to fishing after 10:00 p.m. on October 1.

(4) The open season on the Middle and North Forks of the Flathead River will conform to the Montana season for those waters, except that on the Park side the season will close October 15.

(5) Midvale and Hidden Creeks are closed to fishing at all times.

(6) Hidden Lake; Logging Creek, from the head of Logging Lake and including Grace Lake; Quartz Creek, between Lower Quartz Lake and Quartz Lake; and Kintla Creek, between Kintla Lake and Upper Kintla Lake, shall be open to fishing from July 1 to October 15, inclusive.

(b) *Fishing; limit of catch and in possession.* (1) The limit of catch per fisherman per day shall be 15 pounds of fish (dressed weight with heads and tails intact) and one fish, not exceeding in the aggregate 10 fish.

(2) Possession of more than one day's catch limit by any person at any time is prohibited.

(c) *Fishing; bait; licenses.* (1) Fishing for merchandise or profit is prohibited.

(2) The possession or use for bait, of salmon eggs or other fish spawn, or any imitation thereof, or substance prepared therefrom, is prohibited.

(3) A fishing license is not required to fish in the waters of the Park.

(d) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 45 miles per hour, subject to the following conditions and limitations:

(1) In all areas so posted, and on dangerous curves, 20 miles per hour.

(2) On the North Fork Truck Trail from Apgar to Kishenehn, and on all feeder roads leading thereto, 25 miles per hour.

(3) Between U. S. Highway No. 89 (Blackfeet Highway) and Cut Bank Chalets, 30 miles per hour.

(4) Between U. S. Highway No. 89 (Blackfeet Highway) and Two Medicine Chalets, 30 miles per hour.

(5) On the Going-to-the-Sun Highway between Logan Creek and Siyeh Creek, 30 miles per hour.

(6) All trucks and busses of 1½ tons capacity or over, 35 miles per hour.

(7) All vehicles towing other vehicles, 35 miles per hour.

(e) *Camping.* No person, party, or organization shall be permitted to camp in the Park more than 30 days in any one calendar year. Camping in Sprague Creek Campground shall not exceed 15 days in any one calendar year.

(f) *Mufflers.* All cars, trucks, busses, and motorcycles shall be equipped with muffling systems in good working order. Cut-outs are prohibited.

§ 7.4 Grand Canyon National Park.

(a) *Limitations on load, weight, and size of vehicles.* Any vehicle operated or moved upon any road within the boundaries of Grand Canyon National Park shall comply with the following height, weight, and load limitations:

(1) No vehicle including any load thereon shall exceed a height of thirteen feet six inches.

(2) No vehicle including any load thereon shall exceed a length of forty feet extreme overall dimensions, inclusive of front and rear bumpers.

(3) No combination of vehicles coupled together shall consist of more than two units except that a truck tractor and semi-trailer will be permitted to haul one full trailer and no such combination of vehicles shall exceed a total length of sixty-five feet.

(4) (i) The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed eighteen thousand pounds.

(ii) For the purposes of this section an axle load means the total load transmitted to the road by all wheels whose centers are included between two parallel transverse verticle planes forty inches apart, extending across the full width of the vehicle.

(5) Subject to the limit upon the weight imposed upon the road through any one axle as set forth in subparagraph (4) of this paragraph, the total gross weight with load imposed upon the road by any one group of two or more consecutive axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distance between the first and last axle of the group of axles measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet between first and last axles of group:	*Allowed load in pounds on group of axles*
4	32,000
5	32,000
6	32,200
7	32,900
8	33,600
9	34,300
10	35,000
11	35,700
12	36,400
13	37,100
14	43,200
15	44,000
16	44,800
17	45,600
18	46,400

(6) The total gross weight with load imposed on the road by any vehicle or combination of vehicles where the distance between the first and last axles is more than eighteen feet shall not exceed that given for the respective distances in the following table:

Distance in feet:	*Allowed load in pounds*
18	46,400
19	47,200

Distance in feet—Con.	Allowed load in pounds
20	48,000
21	48,800
22	49,600
23	50,400
24	51,200
25	55,250
26	56,100
27	56,950
28	57,800
29	58,650
30	59,500
31	60,350
32	61,200
33	62,050
34	62,900
35	63,750
36	64,600
37	65,450
38	66,300
39	67,150
40	68,000
41	68,000
42	68,000
43	68,000
44	68,000
45	68,000
46	68,800
47	69,600
48	70,400
49	71,200
50	72,000
51	72,800
52	73,600
53	74,400
54	75,200
55	76,000
56 or over	76,800

(7) The distance between axles shall be measured to the nearest even foot. When a fraction is exactly one-half foot the next larger whole number shall be used.

(8) *Provided, however,* That a horse-drawn vehicle equipped with metal tires may be operated when the weight of such vehicle including any load thereon does not exceed 700 pounds upon any inch in width of tire.

(9) *Provided, further,* That the provisions of this paragraph shall not apply to traction engines or tractors the propulsive power of which is exerted, not through wheels resting upon the ground, but by means of a flexible band or chain known as a movable track when the portions of the movable tracks in contact with the surface of the roadway present plane surfaces.

(b) *Flanges, ribs, clamps.* There shall not be operated or moved upon any road within the boundaries of Grand Canyon National Park any vehicle of any kind the face of the wheel or wheels of which are fitted flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to damage the roadway. This paragraph applies to all rings or flanges upon guiding or steering wheels on any such vehicle, but it shall not be construed to prevent the use of ordinary detachable tire or skid chains.

(c) *Weighing by Park officers.* Any officer of Grand Canyon National Park having reason to believe that the weight of a vehicle and load is unlawful and not in conformity with the regulations, is authorized to weigh the same either by portable or by stationary scales and may require that such vehicle be driven to the nearest scales in the event such scales are within 5 miles. The officer may then require the driver to unload immediately such portions of the load as may be necessary to decrease the gross weight of such vehicle to the maximum therefor specified in paragraphs (a), (b), and (c) of this section.

(d) *Special permits.* The Superintendent of Grand Canyon National Park may, in his discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle of a size or weight exceeding the maximum specified in the foregoing paragraphs upon any Park highway. Every such permit shall be issued for a single trip and may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by said Superintendent. Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any Park officer.

(e) *Reduction of load and tire limitations.* Whenever by reason of rains, thawing snow or frost, or as a result of any other cause, any Park road or roads are in a soft condition or are unsuitable for heavy traffic, the Superintendent of Grand Canyon National Park may, in his discretion and for so long a period as he deems advisable, reduce the load capacity limitations or he may prohibit all hauling if the condition of any road so warrants.

(f) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) 35 miles per hour on any road, except East Rim Drive, south entrance to junction with East Rim Drive, and north entrance to junction with Cape Royal-Point Imperial spur.

(2) Approaching and at road intersections, entrance stations, and in residential areas, 25 miles per hour, as posted.

(3) In school zone, 15 miles per hour, as posted.

(4) On all curves and grades where so posted, 25 miles per hour.

(5) Trucks of two and one-half tons capacity or over, 35 miles per hour.

(6) Cars towing trailers or other cars or vehicles of any kind, 35 miles per hour.

(g) *Commercial passenger carrying motor vehicles.* The prohibition against the admission of commercial passenger carrying motor vehicles, so far as it applies to that section of Grand Canyon National Park north of the Colorado River known as the North Rim, contained in § 1.36 of this chapter, shall be subject to the following exception: (1) Motor vehicles operated on a general, infrequent, and non-scheduled tour on which the visit to the Park is an incident to such tour, carrying only round trip passengers traveling from the point of origin of the tour, will be accorded admission to the Park upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the Park pursuant to contract authorization with the Secretary. Admission to the Park will be accorded such motor vehicles upon payment of a special tour permit fee. This fee is set forth in Part 6 of this chapter.

§ 7.5 Mount Rainier National Park.

(a) *Camping.* Quiet shall be maintained in all camps between the hours of 10:00 p.m. and 6:00 a.m.

(b) *Fishing.* (1) The fishing season in streams shall conform to that of the State of Washington, and in lakes shall be from July 4 to September 30, inclusive, with the following exceptions and restrictions:

(i) Fishing is permitted only between the hours of 4 a.m. and 9 p.m.

(2) The following waters are closed to fishing:

(i) Tipsoo Lake.

(ii) Shadow Lake.

(iii) Klickitat Creek above the White River Entrance water supply intake.

(iv) Laughing Water Creek above the Ohanapecosh water supply intake.

(v) Panther Creek above the East Side Road.

(vi) Frozen Lake.

(vii) Ipsut Creek above the Ipsut Creek campground water supply intake.

(3) (i) The limit of catch per person per day in streams and lakes shall be 10 pounds and 1 fish, with a maximum of 10 fish.

(ii) Possession of more than 1 day's catch by any person at any time is prohibited.

(4) (i) The Ohanapecosh River and its tributaries are closed to all fishing except fly fishing. The use of bait and other lures is prohibited.

(ii) The cleaning of fish in lakes or streams is prohibited.

(iii) The placing or depositing of fish eggs, fish roe, food, or other substances in any waters for the purpose of attracting, collecting, or feeding fish is prohibited.

(iv) Fishing with any line, gear, or tackle having more than two spinners, spoons, blades, flashers, or like attractions, and with more than one transparent or black rudder and more than three hooks attached to such line, gear, or tackle is prohibited.

(c) *Speed.* The maximum speed of automobiles and other vehicles, except in emergencies as provided in § 1.42 (b) of this chapter, shall not exceed the following prescribed limits when appropriate signs giving notice thereof are erected:

(1) 15 miles per hour:

(i) When approaching or upon a curve or any other part of a road or highway in the event the driver's view is obstructed within a distance of 100 feet along the road or highway in the direction in which such driver is proceeding.

(2) 20 miles per hour:

(i) In any business or residence district.

(ii) Upon that portion of any road or highway which passes through or borders upon a public campground, parking area, or other place of public assemblage.

(3) 35 miles per hour:

(i) On U. S. Highway No. 410 from Chinook Pass to its junction with the East Side Road at Cayuse Pass.

(ii) On the Sunrise (Yakima Park) Road between its junction with the White River Campground Road and Sunrise.

(iii) On the White River Campground Road.

(iv) On the Carbon River Road.

(v) On the road from the Nisqually Park Entrance to Paradise.

(vi) On the West Side Road.

(vii) On the Mowich Lake Road.

(viii) On the Stevens Canyon Road.

(4) 45 miles per hour:

(i) On the East Side Road between its junction with U. S. Highway No. 410 at Cayuse Pass and the south park boundary.

(ii) On the Sunrise (Yakima Park) Road between its junction with U. S. Highway No. 410 and its junction with the White River Campground Road.

(5) 50 miles per hour:

(i) On U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(6) Trucks of a ton and one-half capacity or over, 30 miles per hour except on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(7) Trucks of a ton and one-half capacity or over, 40 miles per hour on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(8) Vehicles towing trailers or other vehicles of any kind, 30 miles per hour, except on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(9) Vehicles towing trailers or other vehicles of any kind, 40 miles per hour on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(10) In every event, vehicles shall be driven or operated at appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(d) *Entrances and exits.* Automobiles will be permitted to enter and leave the park through park checking stations between the hours of 6:00 a.m. and 11:00 p.m. daily.

(e) *Commercial automobiles and buses.* The prohibition against the admission of commercial automobiles and buses to Mount Rainier National Park, contained in § 1.36 of this chapter, shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the Park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the Park upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the Park pursuant to contract authorization with the Secretary. Admission to the Park will be accorded such motor vehicles upon payment of a special tour permit fee. This fee is set forth in Part 6 of this chapter.

§ 7.6 Muir Woods National Monument.

(a) *Fires.* Fires are prohibited within the monument.

(b) *Dogs.* Dogs are allowed in the monument only under leash. Those found running at large will be impounded and disposed of according to law.

(c) *Fishing.* Fishing is prohibited within the Monument.

§ 7.7 Rocky Mountain National Park.

(a) *Fires.* The building of fires for any purpose on or along park roads, except in designated areas, is prohibited.

(b) *Fishing.* (1) Along the eastern shores of Shadow Mountain Lake and the Granby Reservoir fishing shall be done in conformity with the laws and regulations of the State of Colorado.

(2) Elsewhere in the Park, fishing shall be permitted in conformity with the laws and regulations of the State of Colorado regarding minimum size limits and the method of handling and returning undersized fish to the water; and, the following additional provisions:

(i) The open season for fishing shall be June 15 through September 30.

(ii) Permissible hours for fishing shall be 4:00 a. m. to 8:30 p. m., m. s. t.

(iii) The use of seines, throw lines, set lines, or any other method of catching fish, except by rod and line held in the hand, is prohibited.

(iv) Fishing with minnows, small fish, fish eggs, or other live bait or the release or freeing thereof, in any of the waters is prohibited.

(v) The number of fish that may be taken by any person in any one day is limited to 10 fish (not exceeding a total of 10 pounds). The possession of more than one day's catch by any person at any time is prohibited.

(vi) Fishing in rearing ponds or other posted waters is prohibited.

(vii) Tonahutu Creek is closed for a distance of 3 miles upstream from the park boundary.

(viii) The Big Thompson River in Forest Canyon from the junction of Fern Creek to its source is closed to fishing.

(c) *Travel on roads and trails.* Travel on the Fall River Road is limited to one-way travel from Chasm Falls to Fall River Pass.

(d) *Camping.* No person, party, or organization shall be permitted to camp in the park more than 30 days in any calendar year.

(e) *Trucking.* (1) The park superintendent may issue permits for the use of the Trail Ridge Road for trucking by ranchers, farmers, and business concerns located in the counties of Larimer, Boulder, and Grand, Colorado, when the loads carried originate and terminate within these counties, for which fees shall be charged. For applicable fees, see Part 6 of this chapter.

(f) *Report of accidents by wrecker operators.* Before the operator of a commercial wrecking car shall attempt to remove any vehicle involved in an accident within the Park, he shall take reasonable steps to ascertain whether any of the persons involved in the accident have reported it to the appropriate Park authority and if he fails to ascertain that a report of the accident has been made, he shall report the accident to the nearest Park authority before disturbing or removing any of the vehicles, equipment, or materials involved in the accident, except when the removal thereof is necessary to save human life or to prevent the further destruction of property.

(g) *Commercial automobiles and buses.* The prohibition against the admission of commercial automobiles and buses to Rocky Mountain National Park, contained in § 1.36 of this chapter, shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside the park pursuant to contract authorization with the Secretary. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee. The fee for such motor vehicles is set forth in Part 6 of this chapter.

(h) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows:

(1) 40 miles per hour:

(i) Between the National Park boundary at the Grand Lake Entrance and the Phantom Valley Trading Post.

(2) 35 miles per hour:

(i) All other roads in the Park.

(3) As provided in § 1.42 (a) of this chapter, vehicles shall be operated at an appropriate reduced speed where so posted or when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic, or by reason of weather or roadway conditions.

(i) *Regulations governing eating and drinking establishments on privately-owned lands*—(1) *Definitions.* The following definitions shall apply in the interpretation and enforcement of this section:

(i) *Restaurant.* The term "restaurant" shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere.

(ii) *Employee.* The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served.

(iii) *Utensils.* "Utensils" shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

(iv) *Superintendent.* The term "Superintendent" shall mean the Superintendent of Rocky Mountain National Park or his authorized representative.

(v) *Person.* The word "person" shall mean person, firm, corporation, or association.

(2) *Examination and condemnation of unwholesome or adulterated food or drink.* Samples of food, drink, and other substances may be taken and examined by the Superintendent as often as may be necessary for the detection of unwholesomeness or adulteration. The Superintendent may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which is unwholesome or adulterated.

(3) *Sanitation requirements for restaurants.* All restaurants shall comply with all of the following items of sanitation:

(i) *Floors.* The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

(ii) *Walls and ceilings.* Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

(iii) *Doors and windows.* When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

(iv) *Lighting.* All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.

(v) *Ventilation.* All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.

(vi) *Toilet facilities.* Every restaurant shall be provided with adequate and conveniently located sanitary toilet facilities for its employees, conforming to the requirements of the Superintendent. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. In case privies or earth closets are permitted and used, they shall be of a sanitary type, separate from the restaurant building, and shall be fly and rodent proof.

(vii) *Water supply.* Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate, and of a safe, sanitary quality.

(viii) *Lavatory facilities.* Adequate and convenient hand-washing facilities shall be provided, including hot and cold running water, soap, and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.

(ix) *Construction of utensils and equipment.* All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair. Utensils containing or plated with cadmium or lead shall not be used: *Provided,* That solder containing lead may be used for jointing.

(x) *Cleaning and bactericidal treatment of utensils and equipment.* (*a*) All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single-service containers shall be used only once.

(*b*) All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

(*c*) No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of utensils.

(xi) *Storage and handling of utensils and equipment.* After bactericidal treatment, utensils shall be stored in a clean, dry place protected from flies, dust, and other contamination, and shall be handled in such a manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.

(xii) *Disposal of wastes.* All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.

(xiii) *Refrigeration.* All readily perishable food and drink shall be kept at or below 50° F. except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

(xiv) *Wholesomeness of food and drink.* All food and drink shall be clean, wholesome, free from spoilage, and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from approved sources. Milk and fluid milk products shall be served in the individual original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device: *Provided,* That this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams, and mussels shall be from approved sources, and if shucked shall be kept until used in the containers in which they were placed at the shucking plant.

(xv) *Storage, display, and serving of food and drink.* All food and drink shall be so stored, displayed, and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches, and rodents shall be used.

(xvi) *Cleanliness of employees.* All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared.

(xvii) *Miscellaneous.* The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

(4) *Disease control.* No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. If the restaurant manager suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease he shall notify the Superintendent immediately. A placard containing this section shall be posted in all toilet rooms.

(5) *Procedure when infection suspected.* When suspicion arises as to the possibility of transmission of infection from any restaurant employee the Superintendent may require any or all of the following measures:

(i) The immediate exclusion of the employee from all restaurants.

(ii) The immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Superintendent.

(iii) Adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

§ 7.8 Sequoia-Kings Canyon National Parks.

(a) *Stock driveways.* (1) So long as it may be available for such purpose, the present county road extending from

the west boundary of Kings Canyon National Park near Redwood Gap to Quail Flat junction of the Generals Highway and the old road beyond is designated for the movement of stock and vehicular traffic, without charge, to and from national forest lands on either side of the General Grant grove section of the park. Care must be exercised to prevent stock from straying from the right-of-way.

(2) Nooning at Redwood Gap is permitted, provided the stock are first driven beyond the developed area.

(3) In emergencies other stock driveway crossings in the General Grant grove section of the park may be used without charge under special arrangements first made with the superintendent of the parks.

(b) *Camping.* Within the campgrounds or other occupied areas of the Sequoia National Park, quiet must be maintained between the hours of 10:00 p. m. and 6:00 a. m.

(c) *Entrance roads.* (1) Automobiles will be permitted to enter Sequoia National Park through the Ash Mountain and Lost Grove Checking Stations between the hours of 5:00 a. m. and 9:00 p. m. except on Saturdays and days preceding a holiday, on which days entrance will be permitted until 11:00 p. m. Vehicles may leave the park through these stations only between the hours of 6:00 a. m. and 10:00 p. m.

(2) Vehicle travel is prohibited within the Giant Forest and Lodgepole areas between the hours of 11:00 p. m. and 5:00 a. m. except on Saturdays and the days preceding holidays, when the hours shall be 12:00 midnight to 5:00 a. m.

(d) *Speed.* Special speed limits within Sequoia National Park are as follows:

(1) Generals' Highway: Through Ash Mountain Headquarters, Hospital Rock Camp and Giant Forest Village area where signs are posted, 15 miles per hour.

From Giant Forest Lodge to General Sherman Tree where sign is posted, 25 miles per hour.

(2) Moro Rock Crescent Meadow, and Wolverton Roads where sign is posted, 25 miles per hour.

(3) Lodgepole and Giant Forest Camp Roads, 15 miles per hour.

(4) North Fork Road, 25 miles per hour.

(5) Bear Hill Road, 15 miles per hour.

(6) Ash Mountain and Potwisha Camp Roads, 15 miles per hour.

(7) On curves where driver's view is obstructed within a distance of 200 feet along such highway in the direction in which the vehicle is proceeding, 15 miles per hour.

(8) At all intersections, 15 miles per hour.

(9) At intersections, road crossings or ranger stations where posted with "Stop" signs, all vehicles shall come to a full stop before proceeding.

(e) *Fishing.* (1) The fishing season shall conform to that of the State of California.

(2) The limit of catch per person per day shall be 10 fish, not exceeding 10 pounds of fish and 1 fish. Possession of more than 1 day's catch of fish by any person at any one time is prohibited. No minimum size limit for trout is prescribed in the parks.

(3) A California State fishing license is required of all persons 16 years of age or over fishing in the Parks.

(4) In Sequoia National Park the following waters are closed to fishing as a fish conservation measure, and as protection to domestic water supplies, watersheds, and meadows:

(i) On the watershed of the North Fork of the Kaweah River: Yucca Creek and tributaries from confluence with North Fork to sources from July 1 to close of season; Cabin Creek from Generals Highway to source.

(ii) On the watershed of the Marble Fork of the Kaweah River: Deer Creek from the foot bridge on the Sunset-Village Trail to source, except to children 10 years of age or younger; that section of Wolverton Creek from the dam upstream to the source, except to persons 15 years of age or younger; at the pond held by the dam; and Silliman Creek from Generals' Highway to source at outlet of Silliman Lakes.

(iii) On the watershed of the Middle Fork of the Kaweah River: Crescent Creek from source to High Sierra Trail Bridge at lower Crescent Meadow.

(5) In Kings Canyon National Park the following waters are closed to fishing as a conservation measure, and as protection to domestic water supplies, watersheds, and meadows:

(i) On the watershed of the South Fork of the Kings River: Sheep Creek and its tributaries from source to Park boundary; Lewis Creek from Park boundary where signs are posted at the intake of the water supply to the first trail crossing; and Comb Creek from Lewis Creek to trail crossing.

§ 7.9 Shiloh National Military Park.

(a) *Maximum weights of vehicles.* The maximum weight of any vehicle using the park roads, including the load of such vehicle, shall not exceed 18,000 pounds.

(b) *Speed.* Except where different speed zones are indicated by signs or markers, speed of automobiles and other vehicles, except ambulances and cars on official emergency trips, shall not exceed 35 miles per hour.

§ 7.10 Zion National Park.

(a) *Limitations on load, weight, and size of vehicles*—(1) *Maximum size of vehicles.*

	Feet
Total width of vehicle, including load	8
Total height of vehicles with load	10½
Total length of single vehicle	35
Total length of combination of vehicles	55

(2) *Maximum weight of vehicles.* The load limits on single axles, wheels and tires, and the maximum gross weight of vehicles and loads, shall be the same as the limits prescribed by the laws of Utah.

(b) *Prohibited vehicles.* (1) The Zion-Mt. Carmel Road within the park shall be open to commercial truck traffic only during those times (approximately from October 1 to June 1) when the Zion-Bryce Canyon Approach Road, Utah State Route 14, is closed to such traffic.

(2) During the period October 1 to June 1, vehicles exceeding 30,000 pounds gross vehicle weight will be permitted over park roads throughout the 24-hour day. Before and after this period such vehicles will be permitted to operate over park roads only when Utah 14 is closed to such traffic, and then only during the hours of 10 p.m. and 6 a.m. local standard time.

Nothing in this section shall be construed to prohibit vehicles complying with Utah State weight and size limitations, owned by the Federal, State or county government, from passage over park roads when used in connection with official operations.

(c) *Convoy required; convoy fee.* No vehicle, including any load or equipment thereon, which exceeds 8 feet in width, or exceeds 10 feet 6 inches in height, or exceeds 35 feet in length single or 55 feet in length combination, may be driven over the highways in Zion National Park except under convoy by the Chief Ranger or some person acting under his authority. Drivers or owners of vehicles will not control the traffic except under the direction of the Chief Ranger or other person acting under his authority. For providing the required convoy service a convoy fee shall be charged for each vehicle or combination of vehicles, including vehicles entitled to waiver of the automobile permit fee in accordance with § 6.2(f) of this chapter. For vehicles not entitled to such waiver the convoy fee shall be in addition to the automobile permit fee. For convoy fees see Part 6 of this chapter.

(d) *Speed.* Speed in the Park, except in emergencies as provided in § 1.42 (a) of this chapter, is limited to 35 miles per hour except where lower limits are prescribed and posted.

§ 7.11 Lassen Volcanic National Park.

(a) *Fishing; open season.* In all waters open to fishing, the season shall be in accordance with that established by the State of California.

(b) *Fishing; limit of catch and in possession.* The limit of catch and in possession per person per day shall be 10 fish, or 10 pounds of fish and 1 fish, in all waters except Manzanita Lake and Reflection Lake, where the daily limit of catch shall be 5 fish, or 5 pounds of fish and 1 fish. All fish caught, regardless of size, shall be retained.

(c) *Fishing; closed waters.* The following waters are closed to fishing:

Manzanita Creek.
Grassy Swale Creek.
Grassy Creek.
Emerald Lake.
Manzanita Lake, within 150 feet of inlet and outlet.

(d) *Entrance roads.* The Manzanita Lake and Sulphur Works entrances will be open from 6:00 a.m. to 10:00 p.m. daily.

(e) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows:

(1) 25 miles per hour:

(i) On the Hat Creek Road, Butte Lake Road, Warner Valley Road, and Juniper Lake Road.

(2) 20 miles per hour

(i) In any business, residential, or Government service area.

(ii) Upon that portion of any road or highway which passes through or borders upon a public campground, picnic area, parking area, or other place of public assemblage.

(3) In every event, vehicles shall be driven or operated at appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(f) *Commercial automobiles and buses.* The prohibition against the admission of commercial automobiles and buses to Lassen Volcanic National Park, contained in §1.36 of this chapter shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park upon establishing to the satisfaction of the superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the park pursuant to contract authorization with the Secretary. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee. For fees applicable to such vehicles, see Part 6 of this chapter.

§ 7.12 Kennesaw Mountain National Battlefield Park.

(a) *Speed.* Speed of automobiles and other vehicles except ambulances and Government cars on emergency trips on Kennesaw Mountain Road is limited to 25 miles per hour.

§ 7.13 Yellowstone National Park.

(a) *Weight and size limits for vehicles.* (1) The total gross weight of any vehicle and load or combination of vehicles and loads shall not exceed the following prescribed limits:

(i) The Chittenden Bridge across the Yellowstone River on the Artist Point Access Road, 5 tons.

(ii) The bridge across the Yellowstone River near Tower Junction on the Northeast Entrance Road, 10 tons.

(iii) The road between Norris Junction and Canyon Junction, 20 tons.

(2) No vehicle and load shall have a gross weight in excess of 450 pounds per inch width of tire, or carry more than 18,000 pounds on any one axle, and no vehicle whatsoever having a total gross weight of vehicle and load or combination of vehicles and loads in excess of 76,800 pounds shall be operated or moved upon any Park road.

(i) *Provided,* The Superintendent may prescribe reduced limits as to weight thereof, on designated highways as posted, whenever said highways may be damaged or destroyed by the above load limits because of deterioration, rain, snow, frost, and other climatic conditions.

(3) The gross weight of any group of axles of any vehicle or combination of vehicles, when the distance between the first and last axles of any group of axles is eighteen (18) feet or less, and the gross weight of any vehicle when the distance between the first and last axle of all the axles of the vehicles is eighteen (18) feet or less, shall not exceed that set forth in the following table of weights:

Distance in feet between the first and last axles of any group of axles of any vehicle or combination of vehicles or between the first and last axles of all of the axles of any vehicle	*Maximum gross weight, in pounds, of any group of axles of any vehicle or combination of vehicles, or of any vehicle*
4	32,000
5	32,000
6	32,200
7	32,900
8	33,600
9	34,300
10	35,000
11	35,760
12	36,400
13	37,100
14	43,200
15	44,000
16	44,800
17	45,600
18	46,400

(4) The gross weight of any vehicle or combination of vehicles, where the distance between the first and last axles of the vehicles or combination of vehicles is more than eighteen (18) feet, shall not exceed that set forth in the following table of weights:

Distance in feet between the first and last axles of all of the axles of a vehicle or combination of vehicles	*Maximum gross weight, in pounds, of any vehicle or combination of vehicles*
18	46,400
19	47,200
20	48,000
21	48,800
22	49,600
23	50,400
24	51,200
25	55,250
26	56,100
27	56,950
28	57,800
29	58,650
30	59,500
31	60,350
32	61,200
33	62,050
34	62,900
35	63,750
36	64,600
37	65,450
38	66,300
39	68,000
40	70,000
41	72,000
42	73,280
43	73,280
44	73,280
45	73,280
46	73,280
47	73,280
48	73,280
49	73,280
50	73,280
51	73,280
52	73,600
53	74,400
54	75,200
55	76,000
56	76,400
57	76,800

(5) No vehicle shall be operated or moved upon any Park road when the total outside width and length, including the load thereon, exceeds 8 feet in width and 35 feet in length for a single vehicle, or 60 feet in length for a combination of vehicles, or when the total height of a vehicle, including the load thereon, exceeds 13 feet 6 inches, except on that portion of U.S. Highway 191 lying within the boundary of the Park on which highway the size limits shall be as follows:

(i) Busses shall be no more than 102 inches in width. Other vehicles shall be no more than 96 inches in width. No vehicle, including load, shall be more than 13 feet 6 inches in height. Busses shall not be more than 40 feet in length. Single trucks shall not be more than 35 feet in length. Combinations of vehicles shall be no more than 60 feet in length.

(6) Provided, that in special case of individual movements, where the size or weight of such vehicles, including loads, exceed those herein prescribed, may be operated under special permit granted by the Superintendent, under such conditions as to time, route, equipment, speed, and otherwise as he may determine.

(b) *Traffic control.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) At Bridge Bay from a point approximately 3.7 miles west of Lake Junction on the road to West Thumb, along the entire length of the concrete wall for a distance of .6 mile, 25 miles per hour.

(2) The road between Mammoth Village and the North Entrance; the road between Canyon Junction and Chittenden Bridge; and the road from Norris Junction eastward to the beginning of the new park road at Station 412, approximately 3.5 miles west of Canyon Junction, 35 miles per hour; except that portion of the road through the Virginia

Cascades to the top of Blanding Hill posted at 25 miles per hour.

(3) Passenger cars, and trucks of less than 1½ tons capacity, 45 miles per hour on straight and open stretches. Trucks of 1½ tons capacity or over, and vehicles towing trailers or other vehicles of any kind, 30 miles per hour. Except, on that portion of U. S. Highway 191 lying within the boundary of the park, the speed limits shall be as follows: Single vehicles and trucks with gross weight of 4,000 pounds or less, 65 miles per hour; this limit is reduced to 55 miles per hour during the hours of darkness; combination vehicles, and trucks with gross weight of more than 4,000 pounds, 45 miles per hour.

(4) Travel shall be restricted to one direction when posted on the esplanade at Mammoth Hot Springs, the esplanade at Old Faithful Village, the Bunsen Peak loop road, and the Mammoth Terrace loop road.

(5) Careless driving: The operating of any vehicle upon a park road in a careless and heedless disregard of the rights or safety of others, or without due caution, or at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

(6) Stop signs: (i) No person shall drive any vehicle onto any road from another road in the Park without coming to a complete stop, provided, however, there are erected appropriate signs at such locations.

(ii) The term "road" means any street, highway turnout, parking area or public thoroughfare.

(7) Parking: No person shall park any vehicle in a posted restricted area except in case of bona fide emergency or for administrative purposes.

(i) The following places are designated as restricted parking areas: All bridges and the immediate surrounding areas of natural features, concession establishments, Government buildings, amphitheatres, and camp and picnic grounds. Provided, however, there are erected appropriate signs at such locations.

(c) *Trucking.* The park superintendent may issue permits for the use of park roads for trucking, for which fees shall be charged. For schedule of fees, see Part 6 of this chapter.

(d) *Boats*—(1) *Permit.* A permit, issued by the Superintendent, is required for all boats operated upon the waters of the park. This permit must be carried within the boat at all times when any person is aboard, and shall be exhibited upon request to any person authorized to enforce the regulations in this chapter. A violation of the regulations, or disregard of the conditions outlined, by the permittee or other persons using the boat, will constitute cause for the cancellation of the permit.

(2) *Commercial operation.* No privately owned boat shall be used to carry passengers for hire or be used in any commercial operation.

(3) *Size limitation.* No privately owned boat more than 32 feet in length measured through the middle of the boat from bow to stern, and no sailboat of any type, houseboat, or any similar type water craft, shall be placed or operated upon waters of the park. Except for administrative purposes or emergencies, motor-propelled boats may be placed or operated only on Yellowstone, Lewis, and Shoshone Lakes and the channel between Shoshone and Lewis Lakes, and on the Yellowstone River from the outlet of Yellowstone Lake to a point 300 yards below Fishing Bridge.

(4) *Removal of boats.* All privately owned boats, boat trailers, water-borne craft of any kind, buoys, mooring floats, and anchorage equipment will not be permitted in the Park prior to May 1 and must be removed by November 1.

(5) *Boat equipment and requirements.* All boats operated upon Park waters are subject to the following requirements:

(i) All boats operated from sunset to sunrise must display the following lights:

(*a*) Class A (less than 16 feet in length). A clear white light showing all around the horizon and visible for one mile.

(*b*) Class I (16 feet to less than 26 feet in length). Same light requirement as Class A boats.

(*c*) Class II (26 feet to 32 feet in length). Individual running lights, red to port and green to starboard, visible for one mile. A bright white light aft showing all around the horizon and visible for two miles, also a bright white light forward showing from right ahead to two points abaft the beam on both sides and visible for two miles.

(ii) Boats shall carry an approved warning device as follows:

(*a*) Class A boats. No warning device required.

(*b*) Class I boats. A hand, mouth, or power operated whistle or horn, capable of producing a blast for at least two seconds duration and audible for a distance of at least one-half mile.

(*c*) Class II boats. Same requirement as Class I boats except the device shall be capable of producing a blast audible for a distance of at least one mile.

(iii) All boats shall carry an approved life preserver, ring buoy, or buoyant cushion in good and serviceable condition for each person on board. Such devices shall be properly secured and stowed so as to be readily accessible in emergency.

(iv) All boats having built-in or inboard motors shall carry approved fire extinguishers as follows:

(*a*) Class A and Class I boats. One hand operated and portable fire extinguisher. This may be a 1¼-gallon foam, 4-pound carbon-dioxide, one quart carbon-tetrachloride or a 4-pound dry chemical, or larger.

(*b*) Class II boats. One fixed carbon-dioxide system and two hand operated, portable extinguishers of an approved type, such as 2½-gallon foam, 15-pound carbon-dioxide or 12-pound dry chemical.

(v) All boats powered with inboard motors which use gasoline as fuel are subject to the following conditions:

(*a*) Carburetors shall be fitted with an approved device which has demonstrated its ability to arrest backfire.

(*b*) In decked over boats, two or more ventilators are required, with cowls or equivalent capable of removing gases from bilges in engine and fuel tank compartments. Bilges must be kept free of oil, gasoline and grease.

(*c*) Drip pans are required on all updraft carburetors. These pans are to be equipped with a fine mesh wire screen cover to prevent the overflow from catching fire.

(*d*) The fuel tank filler pipe must be outside the cabin and cockpit, and so constructed that spillage of gasoline will not flow into the bilge. A vent of not less than ⅜-inch diameter is required from the fuel tank to the outside of the hull and shall be independent of the filler pipe.

(vi) Galley and cabin stoves shall be of such type and installation as approved by the Underwriters Laboratories.

(*a*) Approved types of galley stoves are those which use coal, charcoal, wood, alcohol, fuel oil or kerosene as fuel. Stoves which use gasoline as fuel are prohibited.

(*b*) Where a galley or cabin stove is installed, it shall be firmly attached, insulated from the woodwork, and so located that it does not endanger flammable material.

(vii) General conditions. (*a*) Fuel lines must be intact with no leaks and must have a shut-off valve installed near the fuel tank in a readily accessible location.

(*b*) Electrical wiring must be in good condition.

(*c*) All boats must carry a bailing bucket on board in addition to whatever bilge pumps or automatic bailing devices with which they may be equipped.

(*d*) All boats 26 feet or less in length shall be equipped with oars and oarlocks, or carry a sweep adequate to propel the boat in case of engine failure.

(6) *Special limits for small boats.* No boat 16 feet or less in length measured through the middle of the boat from bow to stern, canoe (regardless of length), or other water-borne craft not propelled by a motor, shall be operated at a distance of more than one quarter mile from the shore of any lake.

(7) *Rules of the road.* The following rules of the road shall be observed:

(i) The operation of boats in such a manner as to endanger life or property is prohibited.

(ii) In narrow channels, boats shall be operated to the right of the middle of the channel.

(iii) When approaching or passing other water craft, speed shall be reduced so that the wake does not endanger the other craft.

(iv) Slow speed shall be maintained in docking and fishing areas so as not to endanger persons or other craft.

(v) Right-of-way shall be given larger craft.

(8) *Registration of trip.* The operator of each boat leaving for an extended trip, including trips of overnight duration, shall register both upon departure and return at one of the following

Ranger Stations: Lake Ranger Station, Fishing Bridge Ranger Station, West Thumb Ranger Station, South Entrance Station, Old Faithful Ranger Station, and East Entrance Station.

(9) *Sanitation.* No fish offal, bottles, cans, rubbish, or refuse shall be discarded from any boat or water-borne craft into Park waters, or from docks, or from the shores, or otherwise placed in the waters of the Park. Boats, not equipped with or utilizing sewage and waste treatment equipment (consisting of shredding, retention, and chlorination prior to discharge) are hereby prohibited from discharging head and/or galley wastes within one-half mile of low water mark or any domestic water supply intake. All boats or other water-borne craft operating in park waters shall have a receptacle aboard to contain rubbish and refuse which shall be emptied only into facilities provided at docks or other specified places.

(10) *Limitation of boat loads.* No boat or other water-borne craft shall be operated on any water of the park with more than a safe capacity load of passengers or supplies. The following formula shall be used to determine the maximum safe load for boats and other water-borne craft: Maximum safe load (in pounds) = 7½ × length in feet measured through the middle of the boat × width in feet amidship × depth in feet amidship.

(11) *Restricted landing areas.* The landing of boats or other water-borne craft on either of the islands designated as "Molly Islands" in Yellowstone Lake, or passage of boats or other water-borne craft between these islands, or the disturbance in any manner of the birds inhabiting the same or nesting thereon, is prohibited, except upon written permission of the Superintendent. Prior to July 1 of each year, the landing of any boat or other water-borne craft on the lake shore between Trail Creek and Beaverdam Creek is prohibited.

(12) *Restricted waters.* The operation of any boat, canoe, raft, or other water-borne craft on park streams (as distinguished from lakes) is prohibited, except on the channel between Lewis Lake and Shoshone Lake and on the Yellowstone River from the outlet of Yellowstone Lake to a point 300 yards below Fishing Bridge.

(i) The operation of any canoe, raft, boat, or other water-borne craft of any kind is prohibited on Squaw, Goose, Feather, Sylvan, Eleanor, and Twin Lakes, and Beach Springs Lagoon.

(ii) The operation of any motor-propelled water-borne craft is prohibited south and west of the buoy markers in Flat Mountain Arm of Yellowstone Lake.

(iii) Water skiing, boat racing, towing of aircraft, water pageants, and other spectacular and often unsafe types of recreational use are prohibited on all park waters.

(iv) These restrictions shall not apply to craft operated for administrative purposes or in emergencies.

(e) *Fishing*—(1) *Open season.* Except as otherwise provided, the open season for fishing in the waters of the park shall be from sunrise on may 30 to sunset on October 15.

(2) *Limited open season.* (i) Riddle Lake, Grebe Lake, Wolf Lake, the stream connecting Grebe and Wolf Lakes and the Yellowstone River and its tributaries from the Upper Falls at Canyon to the marking buoys at the outlet of Yellowstone Lake are open to fishing from sunrise on July 1 to sunset on October 15. Yellowstone Lake and Squaw Lake are open to fishing from sunrise on June 15 to sunset on October 15.

(ii) All streams emptying into Yellowstone Lake, except those closed for management or cultural purposes, are open to fishing from sunrise on July 15 to sunset on October 15. Streams trapped for egg taking purposes are closed during the spawning season. Closure of such streams will be indicated by signs. Mouths of streams shall include those portions of Yellowstone Lake marked by signs and buoys within 100 yards of the stream outlet and/or inlet.

(3) *Night fishing.* Night fishing is prohibited in all waters of the Park open to fishing during specific hours of Mountain Standard Time as follows:

(i) From opening of fishing season to August 31: 9:00 p. m. to 4:00 a. m.

(ii) From September 1 to close of fishing season: 8:00 p. m. to 5:00 a. m.

(4) *Closed waters.* (i) The following waters of the Park are closed to fishing:

Indian Creek, Panther Creek, Duck Lake, Arnica Creek, a tributary of Yellowstone Lake, Obsidian Creek, upstream from the Bridge at the entrance to Indian Creek Campground, Cascade Creek, Mammoth Water Supply Reservoir, Yellowstone River for a distance of 250 yards on either side of the center of the Yellowstone Cascades, Firehole River, from the Old Faithful water supply intake to the Shoshone Lake Trail crossing above Lone Star Geyser, Gardiner River and Glen Creek for their entire length above the Mammoth water supply intake.

(ii) Fishing from the shores of the following waters is prohibited:

From West Thumb boat dock north along the shore of Yellowstone Lake to the mouth of Little Thumb Creek.

(5) *Limit of catch and in possession.* The limit of catch per day by each person fishing, and the limit of fish in possession at any one time by any one person, shall be 10 pounds of fish (dressed weight with heads and tails intact), plus one fish, not to exceed a total of 5 fish.

(i) In Yellowstone Lake, that portion of the Yellowstone River above the Upper Falls at Canyon, and the streams entering into these waters, the limit of catch per day by each person fishing, and the limit of fish in possession at any one time by any person, shall be 10 pounds of fish (dressed weight with heads and tails intact), plus one fish, not to exceed a total of 3 fish.

(6) *Restrictions on use of bait and lures.* (i) No salmon eggs or other fish eggs, either fresh or preserved, shall be used as bait. The possession of such salmon eggs or other fish eggs is prohibited within the park.

(ii) Only artificial flies, with a single hook, may be used as lures in the Firehole River, Madison River, Squaw Lake, and that section of the Gibbon River extending from the mouth of the stream to the crest of Gibbon Falls. The use of any lures, other than artificial flies, in these waters is prohibited.

(f) *Commercial automobiles and busses.* The prohibition against the admission of commercial automobiles and busses to Yellowstone National Park, contained in § 1.36 of this chapter, shall be subject to the following exceptions: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will, subject to the conditions set forth in this paragraph, be accorded admission to the park for the purpose of delivering passengers to a point of stay while in the park. After passengers have completed their stay, such motor vehicles shall leave the park by the most convenient exit station, considering their destination. Motor vehicles admitted to the park under this paragraph shall not, while in the park, engage in general sightseeing operations. Admission will be accorded such vehicles upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the park, pursuant to contract authorization from the Secretary. The Superintendent shall have the authority to specify the route to be followed by such vehicles within the park. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee. Applicable fees are set forth in Part 6 of this chapter.

(g) *Camping*—(1) *Limitations.* Occupancy of each campground in Yellowstone National Park by any person, party, or organization during any calendar year during the period July 1 to Labor Day, inclusive, shall not exceed 30 days except as hereinafter specified.

(i) Occupancy of Madison, Old Faithful, West Thumb, Lewis Lake, Fishing Bridge, Cascade, and Canyon campgrounds shall not exceed 15 days during the period July 1 to Labor Day, inclusive.

(ii) Occupancy of primitive campgrounds on Yellowstone and Shoshone Lakes shall not exceed 7 days during the period July 1 to Labor Day, inclusive.

(2) *Hours of quiet.* Quiet shall be maintained in all camp-grounds and hotels and other buildings during the period from 10:00 p. m. to 6:00 a. m. and the use of any noise producing device, such as motors or television sets, to the annoyance or disturbance of other persons, is prohibited during such periods.

(h) *Dogs and cats.* (1) Dogs and cats on leash, crated, or otherwise under physical restraint are permitted in the park only along established roads, walks, and paths within one quarter mile of roads or parking areas except as hereinafter stated.

(2) Dogs and cats are prohibited in the following locations:

(i) On trails more than one quarter mile from roads, and in primitive camps.

(ii) In establishments dispensing food to the public.

(iii) In possession of any employee residing in the park.

(i) *Alcoholic liquors.* (1) Definitions for the purposes of this section:

(i) The term "minor" means any person under 21 years of age regardless of marital status.

(ii) The term "alcoholic liquor" includes alcohol, spirits, wine and beer and every liquid containing alcohol, spirits, wine and beer and capable of being consumed as a beverage by a human being.

(iii) The term "person" includes any natural person, corporation, partnership or association.

(2) The sale of alcoholic liquor within the park by any person not authorized to do so by written permit or contract issued by the Superintendent or the National Park Service is prohibited. This does not apply to employees of persons to whom permits have been issued, in carrying out their assigned duties.

(3) No person authorized to sell alcoholic liquor shall sell any alcoholic liquor between the hours of one o'clock a. m. Sunday and six o'clock a. m. Monday. No person authorized to sell alcoholic liquor shall sell alcoholic liquor on week days between the hours of one o'clock a. m. and six o'clock a. m.

(4) No person authorized to sell alcoholic liquor within the park shall employ any minor to sell or dispense alcoholic liquor or permit any minor to sell or dispense any alcoholic liquor for him.

(5) No person shall sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquors, to or for any minor, any person who is mentally incompetent or any person who is mentally or physically incapacitated by the consumption of such liquors.

(6) No minor may sell or dispense or have in his possession or physical control any alcoholic liquor.

(7) No minor shall obtain, or attempt to obtain alcoholic liquor by misrepresentation of age, or by any other method in any place where alcoholic liquor is sold.

(8) No person authorized to sell alcoholic liquors shall engage in, allow, permit or suffer in or upon the premises where such alcoholic liquor is sold any disturbances, lewdness, immoral activities or displays, brawls or allow, permit, or suffer the premises where alcoholic liquors are sold to be conducted in such a manner as to become a nuisance public or private.

§ 7.14 Great Smoky Mountains National Park.

(a) *Fishing*—(1) *Open and closed waters.* All Park waters are open to fishing except the following:

(i) North Carolina: That part of Raven Fork and all tributaries thereof lying upstream from the Cherokee Indian Reservation boundary at Big Cove; and all of the following waters: Lands Creek; Mingus Creek; and Chestnut Branch.

(ii) Tennessee: All waters of the Middle Prong of Little Pigeon River above the point where Ramsey Prong enters it.

(2) *Time.* Fishing is permitted from sunrise to sunset only.

(3) *General open season.* Fishing is permitted from May 16 to August 31, inclusive. Special open seasons are listed under subparagraph (7) of this paragraph.

(4) *Restrictions as to use of bait.* Fishing is permitted only with artificial flies or lures with one hook. Possession of insect adults, pupae and larvae, earthworms, amphibians or mammals, or parts thereof, along any stream while in possession of fishing tackle shall be considered prima facie evidence of violation of this section.

(5) *Size limits.* No fish less than 7 inches long may be retained. All fish caught, less than seven inches in length, shall be carefully handled and returned at once to the water. (Special size limits are listed under subparagraph (7) of this paragraph.)

(6) *Limit of catch and in possession.* Five fish is the maximum number of trout or bass, or combination thereof, which an angler may catch and retain in any one day or have in his possession at any time. Immediately upon retention of the fifth fish, the fisherman must disassemble his fishing tackle and cease fishing. There is no creel limit on other species of fishes.

(7) *Restrictions and exceptions in certain waters of the Park.* The following waters are designated as "Sport Fishing Streams" and subject to the following restrictions:

(i) The waters of Little River, exclusive of the Middle Prong and its tributaries, lying downstream from Millsap Picnic Area to the Park boundary; and the waters of the Oconaluftee River, North Carolina, lying downstream from the Kephart bridge to the Park boundary, excepting Mingus Creek, are open to "sport fishing" from September 1 to May 16 inclusive. During this period of time the following restrictions are in effect:

(*a*) Fishing restricted to artificial flies or lures containing one hook.

(*b*) No fish less than 16 inches in length may be retained. All fish less than 16 inches must be handled carefully with moist hands and returned immediately to the stream.

(ii) The waters of Bradley Fork and its tributaries, North Carolina, and West Prong of Little Pigeon River and its tributaries, Tennessee:

(*a*) No closed season.

(*b*) Fishing restricted to artificial flies or lures containing one hook.

(*c*) No fish less than 16 inches in length may be retained. All fish less than 16 inches must be handled carefully with moist hands and returned immediately to the stream.

(8) *License.* The National Park Service makes no charge for fishing, but persons fishing within the Park must procure the resident or nonresident State License issued and required by Tennessee, or the resident or nonresident State or county license or permit issued and required by North Carolina. The possessor of a resident fishing license issued by the State of North Carolina shall not fish on the Tennessee side of the Park without first having obtained a fishing license issued by the State of Tennessee, and the possessor of a resident fishing license issued by the State of Tennessee shall not fish on the North Carolina side of the Park without first having obtained a fishing license issued by the State of North Carolina. The possessor of a nonresident license issued by the State of Tennessee or by the State of North Carolina may fish throughout the Park during the open season.

(b) *Fires.* The lighting of fires for any purpose on or along Park roads, except at designated campgrounds and picnic areas, is prohibited.

(c) *Camping.* (1) Camping within one-eighth mile of any open public road, except at designated public camp or picnic grounds, is prohibited.

(2) Camping within one-half mile of the tower on Clingmans Dome is prohibited.

(3) Camping or trespassing on the watershed of any stream furnishing domestic water supply is prohibited.

(d) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 45 miles per hour on Park roadways.

(e) *Report of accidents by wrecker operators.* Before the operator of a commercial wrecking car shall attempt to remove any vehicle involved in an accident within the Park, he shall take reasonable steps to ascertain whether any of the persons involved in the accident have reported it to the appropriate Park authority, and if he does not ascertain that a report of the accident has been made, he shall report the accident to the nearest Park authority.

(f) *Load and vehicle weight limitations.* From May 15 to October 15, inclusive, between the hours of 8:00 a. m. and 6:00 p. m., trucks over one and one-half tons capacity, and trucks of one and one-half tons capacity carrying a load in excess of 5,000 pounds, shall not be operated or moved over any road in Great Smoky Mountains National Park.

§ 7.15 Shenandoah National Park.

(a) *Fishing*—(1) *Applicability of regulations.*

The regulations in this section shall govern fishing on those portions of all streams lying wholly within the Park, including those portions of the Conway River, the Rapidan River, and the North and South Forks of Moormans River. Along those portions of the streams which follow the boundary line of the Park, the State of Virginia laws and regulations governing fishing shall apply.

(2) *Waters.* All waters in the Park are open to trout fishing only.

(3) *Season.* The opening date of the trout fishing season shall conform with that of the State of Virginia and shall close on the same date as the State, or October 15, whichever date is earlier.

(4) *Size limit.* Trout under nine (9) inches in length shall not be retained.

All undersized fish shall be immediately and carefully returned to the water.

(5) *Limit of catch.* The limit of catch per day, or possession by each person fishing, shall not exceed eight (8) fish.

(6) *Bait.* Only artificial lures such as artificial flies, spinners, or bugs shall be used. Fishing with multiple hooks (double, treble, or gang) is prohibited.

(7) *State licenses.* No special Park license is required, but persons fishing within the Park must first procure an appropriate fishing license issued by the State of Virginia.

(8) *Emergency closing of waters.* During any period of emergency, or to prevent over-use by fishermen of waters open to fishing in Shenandoah National Park, the Superintendent, in his discretion, may close to fishing all or any part of such open waters for such periods of time as may be necessary: Provided, The notice thereof shall be given by the posting of appropriate signs, notices, and markers.

(b) *Speed.* Except where different speed zones are indicated by signs or markers, speed of automobiles and other vehicles, except ambulances and cars on official emergency trips, shall not exceed 35 miles per hour on park roadways.

(c) *Travel on roads and trails.* Any or all roads or trails may be closed to public use by order of the Superintendent when, in his judgment, conditions make travel thereon hazardous or dangerous, or when such action is necessary for the proper protection, administration and maintenance of the Park.

§ 7.16 Yosemite National Park.

(a) *Fishing*—(1) *Open season.* The open season for fishing within the Park shall conform with that of the State of California for the adjoining counties of Tuolumne, Mariposa, and Madera.

(2) *Open and closed waters.* The waters of Lake Eleanor and its tributaries for a distance of 1 mile from the lake are closed to fishing.

(3) *Limit of catch.* The number of fish that may be taken by any one person in any one day shall not exceed ten fish, or ten pounds and one fish. Possession of more than one day's catch limit by any person at any one time is prohibited.

(4) *Fishing from horseback.* Fishing from horseback in any lake or stream is prohibited.

(5) *Gathering or securing grubs.* Gathering or securing grubs for bait through the destruction or tearing apart of down trees or logs within sight of roads, trails or inhabited areas is prohibited.

(b) *Closed roads.* (1) The road between Hetch Hetchy Dam and Lake Eleanor is closed to all motor vehicle travel except vehicles belonging to the United States Government, the State of California, or the City of San Francisco, California.

(2) The access road, approximately eight-tenths of a mile in length, between the new Big Oak Flat Road and the summit of the Coulterville Road grade near Big Meadows, is closed to all motor vehicle travel except vehicles belonging to the United States Government and other vehicles used in connection with the administration, protection, and maintenance of the park.

(c) *Trucking.* No commercial trucks will be permitted on the Tioga Road except those used in connection with the activities of the United States Government, the State of California, or agencies operating under contract or agreement with the United States Government to render service to the public in the park, or trucks delivering supplies, materials, etc., to the United States Government, the State of California, or contractors or permittees in the park.

(d) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows, when appropriate signs giving notice thereof are erected:

(1) 15 miles per hour:

(i) When passing a school building, or the grounds thereof, contiguous to the highway during school recess or while children are going to or leaving such school during opening or closing hours or while the playgrounds of any such school are in use by school children.

(ii) Upon roadways within public campgrounds.

(2) 20 miles per hour:

(i) In any business or residence district.

(ii) Upon that portion of any highway which borders upon a public campground, parking area, or place of public assemblage.

(3) 25 miles per hour on the Tioga Road between McSwain Meadows and Cathedral Creek:

(i) On Big Oak Flat Road between Crane Flat and Carl Inn.

(ii) Through Mariposa Grove.

(4) 45 miles per hour:

(i) On Tioga Road between Tioga Pass and Cathedral Creek.

(ii) On Tioga Road between Crane Flat and McSwain Meadows.

(iii) On Glacier Point Road between Badger Pass intersection and Sentinel Dome.

(5) 35 miles per hour on all other public roads in the Park.

(6) In every event, vehicles shall be driven or operated at appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(e) *Camping.* Quiet shall be maintained at all camps between 10:00 p. m. and 6:00 a. m.

(f) *Registration of vehicles.* Motor vehicles driven or moved upon a park road in Yosemite National Park must be registered and properly display current license plates. Such registration may be with a State or other appropriate authority or, in the case of motor vehicles operated exclusively on park roads, with the Superintendent of the Park. An annual registration fee will be charged for vehicles registered with the Superintendent which are not connected with the operation of the Park. This fee will be found in Part 6 of this chapter.

(g) *Bicycles.* Bicycles are prohibited on all business sidewalks serving concession operations and public facilities.

§ 7.17 Platt National Park.

(a) *Use of park waters.* The superintendent may, whenever it becomes necessary to do so, restrict the use of the waters of any of the springs to immediate drinking purposes at such springs.

(b) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42, are as follows:

(1) The maximum speed of all vehicles on the Perimeter Road is limited to 25 miles per hour.

(2) On that part of Oklahoma State Highway No. 18 within the Park the maximum speed shall be limited to 35 miles per hour.

(3) On all dangerous curves, posted as such, on all roads within the Park the maximum speed is limited to 25 miles per hour.

§ 7.18 Hot Springs National Park.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 15 miles per hour on all roads in the campground area.

(b) *Use of water.* The taking or carrying away of water, hot or cold, from any of the springs, fountains, or other sources of supply in Hot Springs National Park for the purpose of sale, or for any use other than personal drinking, is prohibited.

§ 7.19 Morristown National Historical Park.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 30 miles per hour on straight stretches, and to 15 miles per hour on curves.

§ 7.20 Moores Creek National Military Park.

(a) *Visiting hours.* The park shall remain open to visitors from 7:00 a. m. to 6:00 p. m. between May 1 and September 30, and from 7:00 a. m. to 5:00 p. m. between October 1 and April 30: *Provided,* That the superintendent may open the park at such other times as may be deemed expedient for the convenience of the public: *Provided further,* That the superintendent may close the park to all visitors when, in his judgment, such action is necessary for the protection of the park or the public.

§ 7.21 Guilford Courthouse National Military Park.

(a) *Travel on roads.* Travel on roads within the park is limited to passenger carrying vehicles, except:

(1) Vehicles belonging to the United States Government, the State of North Carolina, the County of Guilford, North Carolina, or the City of Greensboro, North Carolina.

(2) Privately owned vehicles temporarily engaged under contract with an agency enumerated in subparagraph (1) of this paragraph.

(3) Privately owned vehicles engaged wholly in hauling or trucking to or from property in the vicinity of the park, where the use of the park roads is necessary as a means of ingress to or egress from a public road.

(b) *Prohibited devices.* The operation or movement upon any road of any vehicle fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to damage the roadway, is prohibited.

(c) *Load and vehicle weight limitations.* No vehicle equipped with pneumatic tires shall be operated or moved upon any road which has:

(1) A total weight, including vehicle and load, in excess of twelve thousand (12,000) pounds.

(2) A total weight, including vehicle and load, in excess of six thousand (6,000) pounds on any one axle, or in excess of three thousand (3,000) pounds on any one wheel.

(3) For vehicles equipped with solid rubber tires, the maximum weight, including vehicle and load, shall not exceed seventy-five (75%) percent of the maximum weights prescribed in subparagraphs (1) and (2) of this paragraph.

(4) For vehicles equipped with tires made in whole or in part of metal, the total weight, including vehicle and load, shall not exceed four hundred (400) pounds per inch of tire width.

(5) The provisions of this paragraph shall not apply to traction engines or tractors the propulsive power of which is exerted by means of a flexible band or chain known as a movable track, when the portions of the movable track in contact with the surface of the roadway present plain surfaces.

(d) *Speed.* The speed of automobiles and other vehicles, except Government cars and ambulances on emergency trips, is limited to 30 miles per hour on all roads.

(e) *Exception.* The regulations in this section shall not apply to traffic on U. S. Highway No. 220.

§ 7.22 Grand Teton National Park.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the speed limits listed below for the following designated roads:

(1) Jenny Lake Road, 35 miles per hour.

(2) Wilson Road, 25 miles per hour.

(3) Signal Mountain Road, 20 miles per hour.

(4) Jackson Hole Highway between the south and east park boundary, 60 miles per hour.

(b) *Fishing.* (1) (i) The open season for fishing in Grand Teton National Park shall be from June 1 through October 31, except where otherwise specifically stated.

(ii) Jackson Lake shall be open during the calendar year except from September 20 through November 14.

(iii) The Snake River proper shall be open from May 1 through October 31.

(iv) There shall be an open season for whitefish fishing only on the Snake River from January 1 through March 15 and from December 1 through December 31.

(2) The following waters shall be closed to fishing at all times: The Snake River for a distance of 150 feet below the lower face of Moran Dam; and Cottonwood Creek from the outlet of Jenny Lake to the Horse Concession bridge.

(3) There shall be a creel limit of 12 game fish, or ten pounds and one fish (whichever is reached first) per day or in possession, except that the creel limit for Jackson Lake shall be 6 game fish or ten pounds and one fish (whichever is reached first) per day in possession. The limit of whitefish shall be 25 per day with a possession limit of three days' catch.

(4) The use or possession of fish eggs or fish for bait is prohibited in all Park waters, except that it shall be permissible to use and have in possession dead fish for use as bait on or along the shores of Jackson Lake. Authorized dealers in bait fish may retain such fish in live condition in containers removed from any fishing waters, but such fish must be dead when sold.

(5) Fishing from any bridge or boat dock in the Park is prohibited.

(6) The use of rafts or boats propelled by any type of motor is prohibited on Leigh Lake, Taggart Lake, Bradley Lake, Two Ocean and Emma Matilda Lakes and the Snake River, except for official management purposes. The use of rafts or boats of any type is prohibited within 1000 feet of the lower face of the Moran Dam.

(7) During any period of emergency, or to prevent overuse by fishermen, the Superintendent may close to fishing all or any part of such open waters for such periods of time as may seem necessary; provided that notice thereof shall be given by the posting of appropriate signs or markers.

(c) *Stock grazing.* (1) Permits for the grazing of domestic livestock based on authorized use of certain areas at the time of approval of Public Law 787, September 14, 1950, shall continue in effect or shall be renewed from time to time, except for failure to comply with the conditions and terms applicable thereto after reasonable notice of default and subject to the following provisions of tenure:

(i) Grazing privileges appurtenant to privately owned lands located within the park shall not be withdrawn until title to lands to which such privileges are appurtenant shall have vested in the United States.

(ii) Grazing privileges appurtenant to privately owned lands located outside the park shall not be withdrawn for a period of twenty-five years, after September 14, 1950, and thereafter during the lifetime of the original permittee and his heirs if they were members of his immediate family as described below:

(*a*) Members of the immediate family are those persons who are related to and were living with and directly dependent upon a person, or persons, living on or conducting grazing operations from lands, as of September 14, 1950, which the Service recognized as base lands appurtenant to grazing privileges in the park. Such interpretation excludes mature children who, as of that date, were established in their own households and were not directly dependent upon the base lands and appurtenant grazing recognized by the National Park Service.

(iii) If title to base lands lying outside the park is conveyed, or such base lands are leased to someone other than a member of the immediate family of the original permittee, the grazing preference shall be recognized only for a period of twenty-five years from September 14, 1950.

(2) Where no reasonable access or egress is available to permittee or nonpermittee stockmen who must cross park lands to reach grazing allotments and State or private lands within the exterior boundary of the park or to National Forest, State or private lands adjacent to the park, The Superintendent will grant, upon request, a temporary non-fee annual permit to herd stock across the park on a designated driveway, provided such herding does not require more than two trips across the park during the grazing season or consume more than five days per trip in either direction. Permittees or nonpermittees who allow stock to remain on Federal lands within the park in excess of the time granted in the temporary permit, or at any time or place, when or where herding or grazing is unauthorized may be assessed fifty cents per day per animal.

(3) Grazing preferences are based on actual use during the period March 15, 1938 through September 14, 1950 and henceforth no increase in the number of animals or animal unit months will be allowed on Federal lands in the park.

(4) (i) Any permittee whose grazing privilege is appurtenant to privately owned lands within the park will be granted non-use or reduced benefits for one or more years without nullifying his privilege in subsequent years.

(ii) A permittee whose privilege is appurtenant to lands outside the park may be granted non-use on a year to year basis not to exceed three consecutive years unless such a request is clearly beyond his control for such reasons as National emergencies due to protracted labor shortages, economic depressions, etc. Whenever non-use or reduced benefits are desired a written request must be made to the Superintendent at least 60 days before the grazing season starts.

(5) Grazing fees in the park shall be the same as those charged on the adjoining Teton National Forest and may be adjusted annually.

(d) *Camping.* No person, party or organization shall be permitted to camp more than 30 days in any one calendar year in each of the following campgrounds: Colter Bay, Jackson Lake, Pelican Bay and Lizard Point campgrounds. Camping in the Jenny Lake campground shall not exceed 10 days in any calendar year.

(e) *House trailers.* The Jenny Lake and Colter Bay campgrounds are closed to house trailers.

§ 7.23 George Washington Birthplace National Monument.

(a) *Travel on roads.* The following roads are open to travel during daylight hours only:

(1) The road from the Monument Circle to and including the Mansion Grounds and utility area;

(2) The Duck Hall Loop Road, except to patrons of the Log House Tea Room and the Picnic Grounds;

(3) The parking loops at the Burial Grounds and River Shore.

(4) The speed of automobiles and other vehicles, except government vehicles on emergency trips, is limited to 35 miles per hour.

§ 7.24 Catoctin Mountain Park.

(a) *Fishing.* (1) Persons desiring to fish in the waters lying within the boundaries of the Catoctin Mountain Park in Frederick County, Maryland, must first procure an anglers license as required by the laws of the State of Maryland.

(2) The open season for fishing shall be from April 15 to September 15, inclusive. Fishing is permitted only between the hours of 5:30 a.m. and 8:00 p.m.

(3) Fishing with other than artificial flies is prohibited in or on all waters except Owens Creek.

(4) The catch or creel limit of trout shall be five fish per person per day, all of which must be legal length in conformance with the laws of the State of Maryland.

§ 7.25 Hawaii National Park.

(a) *Speed.* The speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) On the Mamalahoa Highway 45 miles per hour except where signs are posted giving notice of a lower limit.

(2) Through the headquarters area, Kilauea section, 25 miles per hour.

(3) Through the Kilauea Military Camp area, 25 miles per hour.

(4) On the Crater Rim Road and the Chain of Craters Road, 35 miles per hour.

(5) On the Hilina Pali Road, 20 miles per hour.

(6) On roads in the Residential Area and Utility Area, Kilauea section, 15 miles per hour.

(7) On the Haleakala Road, 30 miles per hour, except that speed is limited to 15 miles per hour on all curves.

(8) On the Mamalahoa Highway, trucks of one and one-half ton capacity or over, and all vehicles towing trailers, 30 miles per hour, except where a lower limit is prescribed.

(b) [Reserved]

(c) *Camping.* Camping is prohibited in the Haleakala section unless a permit is first secured from the official in charge of this section of the park.

(d) *Fishing.* (1) All fishing or the gathering of sea food accomplished from the lands of the park comprising the seacoast boundary will be in conformance with existing State laws. Native Hawaiian residents of the Kalapana extension area added to the park pursuant to the act of June 20, 1938 (52 Stat. 781; 16 U.S.C. 396a), or of adjacent villages and visitors under their guidance are granted the exclusive privilege of fishing or gathering sea food along the shore line of such area. These persons may engage in commercial fishing, under proper State permit, and do not require a special fishing permit from the Superintendent for fishing, or the gathering of sea food in such area. Other than as noted above, commercial fishing is prohibited along the seacoast of Hawaii National Park and all fishing, or the gathering of sea food is prohibited unless a permit has first been secured from the Superintendent.

(2) The use of throw nets in fishing along the shore line is permitted.

(e) *Bicycles.* (1) Bicycle riders shall keep well to the right on all roads.

(2) Bicycles shall not be ridden abreast of one another, except on straight stretches of road where there is clear visibility ahead and to the rear for at least 300 feet.

(3) The riding of bicycles on trails is prohibited.

(4) Bicycle riders shall operate their vehicles so as to have complete control over the vehicle at all times.

(f) *Picnicking.* Picnicking or the eating of meals of any kind is prohibited in Kipuka Puaulu and the area adjacent to Thurston Lava Tube. Persons desiring to picnic or eat meals of any kind at places other than the designated picnic or camp grounds must first secure a permit from the Superintendent.

§ 7.26 Death Valley National Monument.

(a) *Mining.* Mining in Death Valley National Monument is subject to the following regulations, which are prescribed to govern the surface use of claims therein:

(1) The claim shall be occupied and used exclusively for mineral exploration and development and for no other purpose except that upon written permission of an authorized officer or employee of the National Park Service the surface of the claim may be used for other specified purposes, the use to be on such conditions and for such period as may be prescribed when permission is granted.

(2) The owner of the claim and all persons holding under him shall conform to all rules and regulations governing occupancy of the lands within the National Monument.

(3) The use and occupancy of the surface of mining claims as prescribed in subparagraphs (1) and (2) of this paragraph shall apply to all such claims located after the date of the act of June 13, 1933 (48 Stat. 139; 16 U. S. C. 447), within the limits of the National Monument as fixed by Proclamation No. 2028 of February 11, 1933, and enlarged by Proclamation No. 2228 of March 26, 1937, and to all mining claims on lands hereafter included in the National Monument, located after such inclusion, so long as such claims are within the boundaries of said Monument.

(4) Prospectors or miners shall not open or construct roads or vehicle trails without first obtaining written permission from an authorized officer or employee of the National Park Service. Applications for permits shall be accompanied by a map or sketch showing the location of the mining property to be served and the location of the proposed road or vehicle trail. The permit may be conditioned upon the permittee's maintaining the road or trail in a passable condition as long as it is used by the permittee or his successors.

(5) From and after the date of publication of this section, no construction, development, or dumping upon any location or entry, lying wholly or partly within the areas set forth in subdivisions (i) to (iii) of this subparagraph, shall be undertaken until the plans for such construction, development, and dumping, insofar as the surface is affected thereby, shall have been first submitted to and approved in writing by an authorized officer or employee of the National Park Service:

(i) All land within 200 feet of the center line of any public road.

(ii) All land within the smallest legal subdivision of the public land surveys containing a spring or water hole, or within one quarter of a mile thereof on unsurveyed public land.

(iii) All land within any site developed or approved for development by the National Park Service as a residential, administrative, or public campground site. Such sites shall include all land within the exterior boundaries thereof as conspicuously posted by the placing of an appropriate sign disclosing that the boundaries of the developed site are designated on a map of the site which will be available for inspection in the office of the Superintendent. If not so posted, such sites shall include all land within 1,000 feet of any Federally owned buildings, water and sewer systems, road loops, and camp tables and fireplaces set at designated camp sites.

(b) *Use of water.* No works or water system of any kind for the diversion, impoundment, appropriation, transmission, or other use of water shall be constructed on or across Monument lands, including mining claims, without a permit approved by an authorized officer or employee of the National Park Service. Application for such permit shall be accompanied by plans of the proposed construction. The permit shall contain the following conditions: (1) No diversion and use of the water shall conflict with the paramount general public need for such water; (2) such water systems shall include taps or spigots at points to be prescribed by the Superintendent, for the convenience of the public; and (3) all appropriations of water, in compliance with the State water laws, shall be made for public use in the name of the United States and in accordance with instructions to be supplied by an authorized officer or employee of the National Park Service.

(c) *Permits.* Application for any permit required by this section shall be made through the Superintendent of the Monument.

(d) *Filing of copies of mining locations.* From and after the publication of this paragraph, in order to facilitate the administration of the regulations in

this part, copies of all mining locations filed in the Office of the County Recorder shall be furnished to the office of the Superintendent, Death Valley National Monument, by the person filing the mining location in his own behalf or on behalf of any other person.

§ 7.27 Fort Jefferson National Monument.

(a) *Fishing.* (1) No coral, shells, sea fans, or other forms of marine life found in the water, whether alive or dead, except fish, crayfish, and the common species of conch known as giant stromb (Strombus gigas), shall be taken or disturbed. Dead shells found about the low tide line on Loggerhead Key and Garden Key may be taken by visitors. Dead shells found above the low tide line on other keys shall not be taken without a permit from the Custodian. Dead shells occupied by hermit crabs shall not be taken or disturbed.

(2) Sea turtles, or the eggs thereof, whether on land or in the water, shall not be taken or disturbed.

(3) (i) Salt water crayfish (Panulirus argus), known locally as "crawfish", "Florida Lobster", or "Caribbean Spiny Lobster", shall not be caught or taken between March 21 and July 21, inclusive.

(ii) Salt water crayfish caught or taken measuring less than 12 inches from tip of head to tip of tail, exclusive of "feelers", shall be immediately returned to the water alive unless seriously injured. Those retained because seriously injured shall be counted in the day's catch and shall be surrendered to the superintendent or his representative.

(4) The limit per person per day is 2 crayfish, including those retained because seriously injured, except that the total for any vessel having more than 12 persons aboard shall not exceed twenty-five.

(5) The taking or catching of crayfish for commercial purposes is prohibited.

(6) No conchs known as the giant stromb (Strombus gigas) shall be caught or taken except for food or for bait. The shells of conchs caught or taken for such purposes may be retained for non-commercial purposes. Conchs may not be taken for commercial purposes.

(7) The limit per person per day is 2 conchs, except that the total for any vessel having more than 12 persons aboard shall not exceed twenty-five.

(8) Fishing from vessels that engage in any commercial fishing or shrimping activity, and the taking of fish for the purpose of sale by any other boats or vessels not so engaged, is prohibited in the area of the national monument described as follows:

Beginning at Pulaski Shoal Light, at latitude 24°41'36" North, longitude 82°46'23" West, thence on a straight line to a point at latitude 24°38'00" North, longitude 82°48'00" West; thence on a straight line to a buoy "N2" at latitude 24°37'23" North, longitude 82°49'48" West; thence in a straight line to a buoy "C1" at latitude 24°35'35" North, longitude 82°52'19" West; thence in a straight line to a buoy "N8" at latitude 24°35'07" North, longitude 82°54'07" West; thence in a straight line to a buoy "C–1" at latitude 24°36'27" North, longitude 82°55'40" West; thence in a straight line to a buoy "N–10" at latitude 24°36'39" North, longitude 82°57'27" West; thence in a straight line to a point at latitude 24°40'57" North, longitude 82°54'16" West; thence in a straight line to a point at latitude 24°41'50" North, longitude 82°53'10" West; thence in a straight line to a point at latitude 24°42'22" North, longitude 82°51'50" West; thence in a straight line to a point at latitude 24°42'53" North, longitude 82°49'34" West; and thence in a straight line to a point at latitude 24°42'44" North, longitude 82°48'-20" West; and thence in a straight line to the point of beginning at Pulaski Shoal Light.

(9) (i) The taking of live bait in the area described in subparagraph (8) of this paragraph is prohibited, except minnows or "pilchers" may be taken anywhere in the area by cast net of twelve foot diameter or under, or by hook and line.

(ii) Possession at any time of more than one day's supply of bait so taken is prohibited. No bait shall be taken for the purpose of sale.

(10) No underwater marine life shall be disturbed or taken from the moat or from the shoal waters surrounding Garden Key or Bush Key, or from the shoal waters of Long Key north of the 5-foot channel, where depths of water at mean low tide are less than 15 feet. The possession of fishing tackle, nets, spears, or gigs within such areas shall be prima facie evidence that the person or persons possessing the same are guilty of unlawful fishing in such waters: *Provided,* That the provisions of this paragraph shall not be construed to prohibit sport fishing in the deep water channels or from any pier within the area or to the taking of minnows by cast net as described in subparagraph (9) of this paragraph.

(b) *Prohibited anchorage.* All vessels are prohibited from anchoring in the channels immediately surrounding Garden Key, at any point southerly from and between marker No. 1 of the East channel and marker No. 1 of the West channel: *Provided,* That passenger carrying vessels and yachts carrying visitors to historic Fort Jefferson will be permitted to anchor temporarily within the above-described channel in such a manner as not to obstruct the passage of other vessels or craft. No vessels shall be moored at any of the piers of Fort Jefferson except with the permission of the Superintendent.

(c) *Dumping of refuse prohibited.* Dumping of trash, oily liquids or wastes, or refuse of any kind in the waters or on the beaches or lands of the national monument is prohibited.

(d) *Protection of wildlife.* Landing in any area which is used as a nesting or roosting place by summer nesting birds, or the molesting of any terrestrial wildlife, is prohibited. The Superintendent may, upon application of qualified persons, issue permits to study or photograph the birds at roosting or nesting sites.

§ 7.28 Olympic National Park.

(a) *Fishing*—(1) *Open season.* The opening date of the season for fishing in Park streams, Lake Mills, Lake Crescent and Irely Lake shall conform to that of the State of Washington for streams and lowland lakes for the adjoining counties of Clallam, Jefferson, Mason and Grays Harbor. The opening date for all other Park Lakes shall be July 4. The closing date for all fishing except for the special steelhead trout fishing season shall be October 31, subject to the following exceptions and restrictions:

(i) The following streams or portions thereof are open to fishing of steelhead trout only, from the opening date of the season for steelhead trout fishing established by the State of Washington for adjoining counties, to February 28, inclusive; all tributaries thereof are closed except otherwise indicated:

Bogachiel River.
Dosewallips River below falls.
Queets River below Tshletshy Creek.
Hoh River, including South Fork.
Quinault River, including North Fork below Wolf Bar Shelter and the East Fork below Graves Creek.
Soleduck River below the North Fork Soleduck.

(ii) Fishing is prohibited from one hour after sunset until sunrise.

(iii) In that part of Olympic National Park known as the Queets Corridor and the Olympic Ocean Strip, and other areas which were added to the Park by proclamation of the President, dated January 6, 1953 (Proclamation 3003, 18 F.R. 169, 3 CFR, 1949–1953 Comp., p. 178), fishing shall be done in conformity with the laws and regulations promulgated by the State of Washington for these areas.

(2) *Closed waters.* The following waters and their tributaries are closed to fishing:

Cat Creek.
Entire Morse Creek watershed except Lake Angeles and P.J. Lake.

(3) *Size limit.* Steelhead trout of less than 12 inches in length and fish of any other species less than 6 inches in length, when caught, shall be released by carefully handling with moist hands and returned at once to the water.

(4) *Limit of catch and in possession.* The limit of catch per person per day shall not exceed 10 fish or 10 pounds of fish and one fish, except as otherwise provided.

(i) Between the opening day of the season and February 28 inclusive, the limit of catch of steelhead trout shall not exceed 3 fish per person per day or 6 fish per week, or 24 fish per winter season, less the number of steelhead trout caught by each person in the State of Washington outside Olympic National Park. Each person possessing a State of Washington fishing license shall account for his catch of steelhead trout in the Park in the same manner as required by the State of Washington for fish caught outside the Park.

(ii) The limit of catch per person per day in Lake Crescent shall not exceed 10 fish or 10 pounds and one fish, of which no more than one fish may exceed 18 inches in length.

(iii) Possession of more than one day's catch limit by any one person at any one time is prohibited.

(5) *Bait.* (i) Fishing with any line, gear, or tackle having more than two spinners, spoons, blades, flashers, or like

attractions, and with more than one transparent or black rudder, and more than three (3) hooks attached to such line, gear, or tackle, is prohibited.

(ii) The placing or depositing of fish eggs, fish roe, food, or other substances in any Park waters for the purpose of attracting, collecting, or feeding fish, is prohibited.

(6) *Pollution of waters.* The cleaning of fish in Park lakes or streams, or depositing of fish entrails, heads, gills, or other refuse in any Park lake or stream is prohibited.

(7) *License.* A license to fish in Park waters is not required except that a Washington State or County fishing license is required for fishing in Lake Angeles, located in section 15, T. 29 N., R. 6 W., W.M.; and within those portions of Olympic National Park known as the Queets Corridor and Olympic Ocean Strip, and in sections 1 to 6 inclusive, T. 27 N., R. 11 W., W.M. and in sections 1 to 3 inclusive, T. 27 N., R. 12 W., W.M. which were added to the Park by proclamation of the President dated January 6, 1953 (Proclamation 3003, 18 F.R. 169, 3 CFR, 1949–1953 Comp., p. 178).

(b) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter are as follows:

(1) Basic Speed Rules:

(i) Every person operating or driving a vehicle of any character upon the roads in Olympic National Park shall operate the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of the traffic, weight of vehicle, grade and width of highway, condition of surface and freedom of obstruction to view ahead and consistent with any and all conditions existing at the point of operation so as not to unduly or unreasonably endanger the life, limb, property or other rights of any person entitled to the use of such roads.

(ii) The operator of any motorized vehicle, when entering a curve on any narrow road, must exercise due care to the extent that he or she is at all times able to bring the vehicle to a full stop within one-half of the unobstructed sight distance ahead.

(iii) No vehicle shall pass a school bus loading or unloading passengers.

(2) Maximum speed 25 miles per hour.

(i) When upon that portion of any highway which passes through or borders upon a public campground, parking area, or other place of public assemblage and when upon the following public roads:

Deer Park road.
Dosewallips road.
Hurricane Ridge road above Elwha Ranger Station area.
North Fork Quinault road east of Finley Creek.
Staircase road.

(ii) When approaching or traversing a section of highway posted as "Construction" or "Men Working" or similarly, unless a lesser speed limit is posted.

(3) Maximum speed 35 miles per hour:

(i) When upon the following roads:

East Beach Road—Lake Crescent.
East Fork Quinault Road.
Elwha to Olympic Hot Springs Road.
Hoh Road.
North Fork Quinault Road west of Finley Creek.
North Shore Road—Lake Crescent.
Queets Road.
Rialto Beach Road.
Soleduck Road.
Heart O' the Hills Road to Hurricane Ridge.

(ii) Maximum speed of trucks, or combinations of trucks and trailers, having a gross weight of 10,000 pounds is limited to 35 miles per hour on U. S. Highway 101 and to 25 miles per hour on all other park roads.

(4) Special speed limits:

(i) Whenever the Superintendent, Olympic National Park, determines that a temporary condition or situation exists upon or adjacent to a road, which requires a reduced speed limit, the Superintendent may designate a lesser speed limit, which shall be effective when appropriate signs giving notice thereof are erected upon such road.

(5) Due care required: Compliance with speed requirements as set forth in this paragraph shall not relieve the operator of any vehicle from the further exercise of due care and caution as further circumstances shall require.

(c) *Accommodations for hunters.* In that part of Olympic National Park known as Queets Corridor and Ocean Strip, which was added to the Park by Proclamation of the President of January 6, 1953 (Proclamation 3003, 18 F. R. 169; 3 CFR, 1949–1953 Comp., p. 178), hunters may, during State authorized open hunting seasons for deer and elk, establish camps at locations designated by the Superintendent or obtain accommodations at lodging concessions for the purpose of hunting outside the Park.

(d) *Dogs and cats.* Dogs and cats, under physical restrictive control, are permitted on public highways only while in transit status, and are permitted only in such developed areas as are accessible by road. Such animals are prohibited in public eating establishments, community kitchens, and swimming pools located on Government lands.

(e) *Privately owned lands*—(1) *State health and safety laws.* Owners of privately owned lands and occupants of private lands (including business establishments) in that portion of Olympic National Park over which jurisdiction has been ceded by the State of Washington to the United States of America shall comply with the standards concerning safety and health established from time to time by or pursuant to the laws of the State of Washington which would apply to such lands, owners, and occupants if such lands were not located in Olympic National Park and personnel of the Park will consult and cooperate with State officials in the administration of this regulation. Although safety and health standards established from time to time by or pursuant to the laws of the State of Washington shall apply, such owners, and occupants of privately owned lands (including business establishments), shall not be required to obtain permits or licenses from the State of Washington or its political subdivisions, but shall submit plans for public use structures to the Superintendent, Olympic National Park, for approval.

(2) *State forest practice laws.* Any person, firm, or corporation harvesting or cutting timber on privately owned lands within that portion of Olympic National Park over which jurisdiction has been ceded by the State of Washington to the United States of America shall comply with the standards concerning forest practices established from time to time by or pursuant to the laws of the State of Washington which would apply to such operations if they were not being conducted in Olympic National Park and personnel of the Park will consult and cooperate with State officials in the administration of this regulation. Although forest practice standards established from time to time by or pursuant to the laws of the State of Washington shall apply, no person, firm, or corporation harvesting timber, on such privately owned lands shall be required to obtain permits or licenses from, or pay fees to, the State of Washington or its political subdivisions in connection with the harvesting or cutting of timber on such lands. Prior to the initiation of harvesting or cutting of timber on privately owned lands over which jurisdiction has been ceded to the United States, such operations shall be registered with the Superintendent of Olympic National Park.

(3) *Conflict with Federal laws.* If the standards established from time to time by or pursuant to the laws of the State of Washington, specified in subparagraphs (1) and (2) of this paragraph, are lower than or conflict with any established by Federal laws or regulations applicable to privately owned lands within Olympic National Park, the latter shall prevail.

(f) *Fishing, pollution of waters.* The cleaning of fish in lakes or streams, or the depositing of fish entrails, heads, gills, or other refuse in any lake or stream, is prohibited.

(g) *Fishing; license.* A State or County Fishing license is required for fishing in Lake Angeles located in Section 15, T. 29 N., R. 6 W., W. M.; and within those portions of Olympic National Park known as the Queets Corridor and Olympic Ocean Strip, and in Sections 1 to 6 inclusive, T. 27 N., R. 11 W., W. M., and in Sections 1 to 3, inclusive, T. 27 N., R. 12 W., W. M., which were added to the park by proclamation of the President, dated January 6, 1953 (Proclamation 3003, 18 F.R. 169, 3 CFR, 1949–1953 Comp. , p. 178).

§ 7.29 Bandelier National Monument.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 15 miles per hour in campgrounds and Headquarters area.

§ 7.30 Bryce Canyon National Park.

Speed in the Park, except in emergencies as provided in § 1.42(a) of this chapter, is limited to 35 miles per hour except where lower limits are prescribed and posted.

§ 7.31 Vanderbilt Mansion National Historic Site.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 15 miles per hour on all roads.

(b) *Admission to mansion.* No person or persons will be permitted to enter the mansion unless accompanied by National Park Service employees.

(c) *Fishing.* Fishing is prohibited.

(d) *Picnicking.* Picnicking is prohibited.

§ 7.32 Ocmulgee National Monument.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 25 miles per hour.

§ 7.33 Statue of Liberty National Monument.

(a) *Checking parcels and baggage.* All parcels and bags, other than purses, brought within the Statue of Liberty National Monument shall be checked before the person or persons carrying such articles will be permitted to enter the statue: *Provided,* That this requirement may be waived by the monument superintendent or his representative in the case of bags or parcels which are voluntarily submitted for inspection of their contents.

§ 7.34 Blue Ridge Parkway.

(a) *Speed.* Except where lower speeds are indicated by signs or markers, speed of automobiles and other vehicles, except ambulances and cars on official emergency trips, shall not exceed 45 miles per hour.

(b) *Fishing; open season.* (1) The open season for fishing in the waters within the boundaries of the Parkway shall be the same as that prescribed for the State within which the waters lie. Fishing is prohibited from sunset to sunrise.

(2) The catch or creel limit, as well as the legal length of fish, shall be in conformance with the laws of the State within which the fish are caught.

(c) *Fishing license.* The Parkway does not charge a fee or require a permit for fishing, but persons desiring to fish in the waters within the boundaries of the Parkway must first obtain a proper license therefor as required by the laws of the State wherein the waters in which they desire to fish are located.

(d) *Parking and crossing permits for hunters.* During the hunting seasons prescribed by the States of North Carolina and Virginia between the dates of October 16 and January 31 hunters may, under permits issued by the Superintendent, park vehicles in designated parking areas and cross Parkway lands from and to their vehicles with dogs on leash, firearms with breach or chamber open, and wildlife lawfully killed on lands adjacent to the Parkway. The loading or unloading of any hunter, dog, or game from any point within the Parkway boundaries other than at previously designated parking areas is prohibited.

(e) *Reporting of accidents by wrecker operators and others.* Before any person shall attempt to remove any vehicle involved in an accident within the Parkway, he shall take reasonable steps to ascertain whether any of the persons involved in the accident have reported it to the appropriate Parkway authority and if he does not ascertain that a report of the accident has been made, he shall report the accident to the nearest Parkway authority.

(f) *Commercial hauling by trucks, station wagons, pickups, passenger cars, or other vehicles.* Commercial hauling on the Blue Ridge Parkway, for any purpose, by trucks, station wagons, pickups, passenger cars, or other vehicles, when such hauling is in no way connected with the operation of the Parkway, is prohibited, except that, in emergencies, special hauling permits may be issued by the Superintendent subject to the following restrictions and conditions:

(i) Hauling will not be permitted on Sundays or holidays.

(ii) If more than one truck is used for hauling they shall travel no closer than one-fourth mile apart to permit safe passing by Parkway motorists.

(iii) Hauling will not be permitted on the Parkway motor road between November 1, and April 1, except when in the judgment of the Superintendent or his representative the ground is sufficiently frozen to insure no damage to the road.

(iv) Safety warning devices as prescribed by the Superintendent or his representative are required when loads or vehicles are of such weight or demensions as to be a traffic hazard to normal Parkway travel.

(2) Gross loads shall not exceed the following:

(i) Two axle vehicles, single tires, 11,000 lbs.

(ii) Two axle vehicles, dual rear wheels, 20,000 lbs.

(iii) Three axle vehicles or combination of vehicles 35,000 lbs. provided the rear wheels are equipped with dual tires; that the maximum gross weight on any one axle shall not exceed 16,000 lbs.; and that no two axles shall be spaced less than 40 inches center to center. No wheels or axles shall be counted for the purpose of load determination unless they are equipped with brakes. Hauling of any loads which gross more than 35,000 lbs. will be in accordance with conditions and restrictions set forth by the Superintendent upon submission of conclusive evidence that the Parkway provides the only route to the delivery point, and that the proposed load cannot be broken down into loads which will conform to the foregoing weight limitations.

(3) When the ground is saturated with water or when other unusual conditions exist, the load limitations will be reduced or hauling suspended as ordered by the engineer in charge.

(g) *Commercial automobiles and buses.* (1) The commercial use of the Blue Ridge Parkway by all operators of public transportation facilities is prohibited: except that vehicles of the following classifications and under the conditions specified herein will be admitted to the Parkway by special written permit from the Superintendent or his representative.

(2) Motor vehicles operated commercially for sightseeing or recreational purposes, of a designed seating capacity of no more than 18 persons.

(3) Motor vehicles carrying only members of educational, welfare or scientific organizations, provided: that the tour or trip is initiated, organized and directed by the group or organization concerned, and that the tour is not advertised or sold to passengers by any group, organization, individual or transportation operator for profit.

(4) Motor vehicles rented or chartered by an organization or a group of individuals associating themselves for a tour of the Parkway, or for a tour on which the visit to the Parkway is an incident to such tour, subject to the same provisions as (3) above.

(5) Commercial motor vehicles of a seating capacity of no more than 25 persons will be permitted to use the Parkway between U.S. Route 70 at Oteen and N.C. State Route 80 at Buck Creek Gap, only for the purpose of traveling to and from Mount Mitchell State Park.

(6) The following types of vehicles are not deemed "commercial" within the meaning of this section, and may be admitted to the Parkway without permit when used under the following conditions:

(i) Pickups, when used noncommercially and only as passenger carrying vehicles and/or carrying personally owned baggage, camping equipment and related items used for vacation or recreational purposes.

(ii) Light trucks, up to and including a rated capacity of 1½ tons when used noncommercially and only to carry passengers for recreational or sightseeing purposes and/or personally owned baggage, camping equipment and related items used for vacation or recreational purposes, and when the number of people to be transported is large enough to require a vehicle of this size.

(iii) Vehicles built as or converted to a combination car and house trailer, when used exclusively for noncommercial recreational purposes.

(iv) Trailers, other than house trailers when used noncommercially to transport personally owned baggage, camping equipment, small boats and other similar items used for vacation or recreational purposes.

(h) *Boating.* (1) The use of boats of any kind on waters inside the boundaries of the Parkway is prohibited except as may be designated by the Superintendent.

(2) Boats using waters so designated by the Superintendent shall be restricted to vessels propelled by oars or paddles. The presence on these waters of boats equipped with any type sail or mechanical propulsion shall be deemed a violation of this paragraph.

§ 7.35 Gettysburg National Military Park.

(a) *Speed.* Speed of vehicles is limited to 25 miles per hour.

§ 7.36 Mammoth Cave National Park.

(a) *Fishing.* (1) Fishing with pole and line, rod and reel, and trot and throw lines is permitted all year.

(2) Size limit: There shall be no size limit. All fish caught shall be retained.

(3) Creel limit: The following creel limits shall apply:

Black bass	10
Rock bass or goggle-eye	15
Crappie	30
Jack salmon or walleye pike	10
Sauger or sand pike	10
Striped bass	15
Muskellunge	5
Northern pike	5

(4) Use of seines: Seines which do not exceed 6 feet in length and 4 feet in width or height, with mesh not larger than ¼ inch may be used only in the following runs and creeks for procuring minnows and crawfish for bait, except that minnows and crawfish shall not be taken or caught for commercial purposes: Bylew, First, Second, Pine, Buffalo, Big Hollow, Ugly, Cub, Blowing Spring, Floating Mill Branch, Dry Branch and Mill Branch. As used in this subparagraph, the term "minnows" means any fish less than 6 inches in length, except those species mentioned in this subparagraph.

(5) Live bait. Live bait, other than worms, shall not be used in Sloans Crossing, Green or Doyel Ponds.

(6) Worms: Worms or grubs may not be dug in the park.

(7) Bows and arrows: Use of bows and arrows for the purpose of catching fish is prohibited.

(b) *Speed.* (1) Except where otherwise indicated, speed of automobiles and other vehicles, except Government vehicles on official emergency trips, shall not exceed 35 miles per hour on gravel or dirt roads within the park.

(2) At all times vehicles shall be driven at appropriate reduced speeds when approaching and crossing intersections not protected by stop signs, when approaching and rounding curves, when approaching hill crests, when traveling on narrow and winding roads, and where special hazards exist with respect to pedestrians or other traffic, or by reason of weather, roadway or other conditions.

(c) *Caves.* (1) No person or persons shall enter any cave within the boundaries of Mammoth Cave National Park with the exception of bona fide visitors to caves open to the general public without prior approval of the Superintendent.

(2) The unauthorized possession of any cave formation and/or other cave materials shall be prima facie evidence that the person or persons having the same are guilty of violating § 1.2 (a) of this chapter.

§ 7.37 Timpanogos Cave National Monument.

(a) *Speed.* Speed of vehicles is limited to 25 miles per hour.

§ 7.38 Isle Royale National Park.

(a) *Sport fishing, inland lakes and streams.* (1) The open season for fishing shall be as follows:

Brook trout, rainbow trout, brown trout, steelheads, and lake trout (Mackinaw trout), last Saturday in April to Labor Day, inclusive.

Muskellunge, northern pike, walleyed pike, and yellow perch, 1st of May to November 1st, inclusive.

(2) *Catch limits.* The maximum catch per person per day shall be as follows:

Brook trout, rainbow trout, brown trout, and steelheads, a combined total of 10 fish, but not more than 10 pounds of fish and 1 fish.

Lake trout (Mackinaw trout), 5 fish, but not more than 25 pounds of fish and 1 fish.

Northern pike, walleyed pike, and muskellunge, 5 fish of either species.

(3) *Minimum size limits.* Fish of the following sizes shall not be retained but shall be carefully handled with moist hands and returned at once to the water:

Brook trout, rainbow trout, brown trout, and steelheads, under 7 inches in length.

Northern pike and walleyed pike, under 14 inches in length.

Lake trout (Mackinaw trout), under 15 inches in length.

Yellow perch, under 6 inches in length.

Muskellunge, under 30 inches in length.

(4) *Number of fish in possession.* The number of fish in possession shall not exceed the maximum catch per person per day, as indicated herein.

(i) Live traps or holding nets are prohibited from use in the park waters. The only net permitted is the usual landing net following the capture of fish by the authorized rod, hook and line.

(ii) The number of rods and lines permitted for each person while engaging in fishing in inland lakes in Isle Royale National Park shall be one, and the number of hooks permitted per line shall be no more than two each, either single, double, or treble.

(b) *Docking of commercial boats and watercraft.* No privately owned boat or other watercraft which is being used for commercial purposes shall dock or land at any Government-owned dock or pier of Isle Royale National Park, except in case of emergency, without a permit from the Superintendent who shall have authority to revoke the permit and require the immediate removal of such craft upon the failure of permittee to comply with terms and conditions of the permit.

(c) *Docking of commercial planes and aircraft.* No privately owned plane or other aircraft which is being used for commercial purposes shall dock or land at any Government-owned dock or pier of Isle Royale National Park, except in case of emergency, without a permit from the Superintendent who shall have authority to revoke the permit and require the immediate removal of such craft upon the failure of permittee to comply with terms and conditions of the permit.

(d) *Transportation of persons and things to the park.* (1) The Superintendent of Isle Royale National Park shall have the authority to refuse passage to any and all persons or things for just cause.

(2) Dogs, cats, or other domestic pets will not be transported to Isle Royale National Park by National Park Service boats, common carriers, or charter boats holding National Park Service docking permits.

(3) Persons using National Park Service boat transportation who render themselves obnoxious by disorderly conduct or misbehavior may be summarily removed from such vessels and put ashore at the closest port by the authorized officers of such vessels.

(e) *Boating.* (1) The speed of water-borne vessels shall be restricted to speeds reasonable for the time, place, and surrounding conditions; no such vessel shall be operated in a reckless or negligent manner so as to endanger the life, limb, or property of the Federal Government, or any person.

(2) The use of a motor on water-borne vessels on inland lakes is prohibited. Such vessels will be propelled by paddles, oars, or other means of hand propulsion only.

(3) No garbage or litter of any kind shall be thrown or dumped in the waters of inland lakes or in the coastal waters of Lake Superior within the established park boundaries, in picnicking or camping sites, on beaches or on any other lands of the area, but shall be burned or buried, or deposited at points or places designated for the disposal thereof.

(4) Toilets on water-borne vessels shall not be emptied into the waters of Isle Royale National Park when such vessels are at dock or within one mile of public docks or campgrounds.

§ 7.39 Mesa Verde National Park.

(a) *Hospital charges.* (1) Services rendered at the Aileen Nusbaum Hospital shall be charged for at the rates shown in Part 6 of this chapter.

(2) Patients requiring greater care or service than normally furnished at the hospital must employ a special nurse or attendant.

(3) Since the facilities at the hospital are inadequate for general hospitalization, patients requiring such hospitalization should be under a physician's care and must arrange for transfer to another hospital. The superintendent may waive this requirement in his discretion, or when the physical condition of the patient renders it necessary.

(4) Residence calls will be made by the nurse only when the condition of hospitalized patients permits her absence from the hospital.

(b) *Speed.* (1) The maximum speed of all vehicles on the Entrance Road and on the Ruins Roads up to the beginning of the loop sections is limited to 35 miles per hour.

(2) On the loop sections of the Ruins Roads, and those parts of the Headquarters Area Loop Road for which maximum limits are not prescribed by § 1.42 of this chapter 25 miles per hour, as posted.

(c) *Commercial automobiles and busses.* The prohibition against the admission of commercial automobiles and busses to Mesa Verde National Park, contained in § 1.36 of this chapter, shall be subject to the following exceptions: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-

trip passengers traveling from the point of origin of the tour, will be accorded admission to the park upon establishing to the satisfaction of the superintendent that the tour originated from such place and in such manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the park pursuant to contract authorization with the Secretary. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee. This fee is set forth in Part 6 of this chapter.

§ 7.40 Hopewell Village National Historic Site.

(a) *Fishing.* (1) Fishing between sunset and sunrise is prohibited.

(2) Fishing from boats is prohibited.

§ 7.41 Big Bend National Park.

(a) *Fishing; closed waters.* Fishing is permitted from the United States side of the Rio Grande River, except within Santa Elena, Mariscal, and Bequillas Canyons. All springs and ponds are closed to fishing.

(b) *Fishing; method.* (1) Fishing with rod and line, set lines and trot lines is permitted.

(2) Fishing from boats is prohibited.

(c) *Fishing; limit of catch.* The limit of catch per person per day shall be 20 pounds of fish and 1 fish.

(d) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) In residential areas, as posted.

(2) On the Basin road from Basin Junction to the Basin, as posted.

(3) On all curves and grades where so posted, 15 miles per hour.

(4) Trucks of two and one-half tons capacity or over, 35 miles per hour.

(5) Cars towing trailers or other cars or vehicles of any kind, 35 miles per hour.

(6) Passenger cars and trucks of less than two and one-half tons capacity, 45 miles per hour on straight and open stretches.

§ 7.42 Pipestone National Monument.

(a) Indians desiring to quarry or work red pipestone shall first secure permits from the Director, which shall be issued without charge and shall be valid only during the calendar year in which they are issued. Applications for such permits may be addressed to the Director through the superintendent. The Director may limit the number of permits in operation at any one time consistent with the area available for camp sites and in the interest of conserving the pipestone.

(b) All red pipestone quarried shall be used by the Indians for the purpose of making pipes or other articles or trinkets associated with Indian folklore and legend. No unworked stone shall be sold.

(c) Pipestone, which is uncovered and exposed to the air, shall be removed and worked, or covered in such a manner as to prevent hardening or deterioration.

(d) Quarrying shall be done by hand methods, preferably with tools characteristic of those used by the "Early American Indian."

(e) The abodes of Indians living on the Monument during quarrying or working operations shall be located on sites selected by the superintendent and such abodes shall be kept clean and sanitary.

(f) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 20 miles per hour on all roads.

§ 7.43 Natchez Trace Parkway.

(a) *Animal-drawn vehicles.* No animal-drawn vehicles, sleds, drags, or implements which are not connected with the construction or maintenance of the Parkway shall be permitted on the main Parkway roads.

(b) *Animals.* No animal or animals which are not connected with the construction, operation, or maintenance of the Parkway shall be ridden, led, or driven upon or along the main Parkway roads.

(c) Except ambulances and Government cars on emergency trips:

(1) The speed of automobiles and other vehicles, on parkway motor roads, is limited to 50 miles per hour, except on those sections of the parkway motor roads where a lesser speed is indicated by posted signs or markers.

(2) The speed of automobiles and other vehicles on roads in the utility and residential areas shall not exceed 20 miles per hour.

§ 7.44 Mount McKinley National Park, Alaska.

(a) *Registration of prospectors and miners.* Before entering the Park for the purpose of prospecting or locating any mining claim under the public land mining laws on lands therein, or prior to engaging in exploration or mining on any mining claim theretofore located, all prospectors and miners shall register with the Superintendent, furnishing the information required on the registration form hereinafter set forth.

(1) *Registration form.* The aforesaid registration form shall be substantially as follows:

Form No. _____
(_____, 1949)

REGISTRATION OF PROSPECTORS AND MINERS

UNITED STATES
DEPARTMENT OF THE INTERIOR

National Park Service

Mount McKinley National Park

Pursuant to the regulations of the Secretary of the Interior (36 CFR 7.44) governing the surface use of mineral claims located within the boundaries of the Mount McKinley National Park, Alaska, and to provide for the proper registration of prospectors and miners on lands within said Park, the following information is furnished:

1. Name and address of registrant: _____

_____

_____

NOTE: If registrant is an agent, this fact should be indicated and the name and address of his principal should be furnished in addition to registrant's name and address. If registrant is in charge of a party, then only the chief of the party need register; however, the names and addresses of all members of the party must be listed herein, or on a separate sheet of paper attached hereto.

2. Is registrant a citizen of the United States? _____. If registering for a party in which he is in direct charge, is each member of the party a citizen of the United States? _____. If registrant is an agent, is the principal a citizen of the United States? _____.

3. If this registration is for the purpose of prospecting for minerals prior to the location of a mining claim, state the general area to be covered. _____

_____

4. If this registration is for the purpose of further prospecting, development, or mining on a mining claim heretofore located, describe the exact location of such claim or claims, furnishing evidence of filing. _____

_____

5. Type of mineral to be prospected for or mined. _____

6. Equipment to be used. _____

7. Date prospecting or mining will commence _____ and expected cessation of operations and departure from the Park. _____

The foregoing registration is made this _____ day of _____, 19____, with the understanding that it is good for one year only from the date hereof and must be renewed if activities are to be carried on within the Park after the said expiration date. A copy of this registration, duly accepted and recorded, shall be retained by the registrant at all times as evidence of his compliance with the said regulations of the Secretary of the Interior.

_____
(Signature of registrant)

Accepted and recorded:

_____
Superintendent,
Mount McKinley National Park

(b) *Surface use of mineral land locations.* (1) The surface use of mining claims shall be restricted to purposes of mineral exploration and development unless other uses of the surface are authorized, in writing, by the Regional Director.

(2) Prospectors and miners may open or construct roads or vehicle trails after first obtaining a permit therefor from the Regional Director. Applications for such permits may be made to the Superintendent. Each such application shall be accompanied by a map or sketch showing the location of the mining property to be served and the location of the proposed road or vehicle trail.

(3) Timber may be cut and removed from a mining claim or access road with the prior permission of the Superintendent, who shall designate the timber which may be cut and removed. All slash, brush, or debris resulting from the cutting of timber shall be disposed of by the prospector or miner in such manner and at such times as may be designated by the Superintendent.

(c) *Fishing, limit of catch and in possession.* The limit of catch per person per day shall be 10 fish but not to exceed 10 pounds and one fish, except that the limit of catch of lake trout (mackinaw) per person per day shall be two fish, including those hooked and released. Possession of more than one day's limit of catch by any one person at any one time is prohibited.

(d) *Special wildlife protection area.* The area within one mile of the Park road (Denali Highway) between milepost 37 and milepost 42 (Sable Pass area) is closed to photographers, hikers, and

other Park visitors except as may be specifically authorized by the Superintendent. Observations and photography of wildlife and other features are permitted from the road shoulders and designated turnouts.

(e) *Speed.* Speed limits in the Park are as provided in § 1.42 of this chapter, except that the maximum speed limit for vehicles having a gross weight in excess of 10,000 pounds is 25 miles per hour, and for all other vehicles is 35 miles per hour.

(Interprets or applies sec. 2, 46 Stat. 1043; 16 U.S.C. 350a)

§ 7.45 Everglades National Park.

(a) *Commercial fishing.* (1) The regulations in this paragraph apply only to the area of Everglades National Park known as Florida Bay and described as follows: All of the park waters and keys lying easterly and northerly of a line drawn south true from East Cape Sable to the park boundary, thence following the park boundary southeasterly to the Intracoastal Waterway at a point near Jewfish Key, thence northeasterly following said Intracoastal Waterway to Jewfish Creek. Nets and traps may be used in accordance with the provisions of subparagraphs (2) to (10) of this paragraph.

(2) Gill nets shall not exceed 400 yards in length and shall have a stretched mesh of not less than 3 inches measured from knot to knot after being shrunk. Twine used in gill nets shall not be heavier than 9/20 cotton or 16/3 linen or No. 139 nylon. Only one lead line is permitted and neither lead lines nor cork lines shall be more than one-fourth inch in diameter. No purses, pockets, trammels, or other special devices for entrapping or catching fish shall be used on gill nets. No gill net may be tarred, or contain hoops. Gill nets may be tied together and used in groups of not more than three, provided that the nearest net of any group shall be at least 1,000 yards from any other gill net.

(3) Cast nets shall be of the type thrown and hauled by hand by one person, and shall not exceed 18 feet in diameter of spread.

(4) Bully nets may have a spread of not more than 3 feet and a pocket of not more than 3 feet measured from rim to tip.

(5) Bait nets shall not be more than 100 feet in length and not more than 4 feet in depth.

(6) Bait traps shall not be more than 2 feet by 2 feet by 1 foot in size, built of ¼ inch to ½ inch wire mesh containing not more than 2 openings 2½ inches by 4 inches or smaller. Bait traps must be buoyed.

(7) Crab traps shall have rectangular openings not to exceed sixteen square inches in area and the longer dimension shall not exceed five inches. Crab traps shall be buoyed.

(8) No other net, seine, trap, spear, explosive, or other device for entrapping, catching, killing, or taking fish, bait, or other similar edible products of the waters may be used or be in the possession of any person within the Florida Bay section of the Everglades National Park, except hook and line, the pole or line being held in hand, and further excepting the shrimp and silver mullet nets permitted under subparagraph (9) of this paragraph.

(9) The taking of shrimp, prawn, silver mullet, or other products of the waters of the park for sale as bait is prohibited: *Provided,* That fishermen may obtain bait for their own use without permit: *Provided further,* That persons holding permits may be authorized to take shrimp, prawn, silver mullet, or other products of the waters of the park for sale as bait. Bait nets, shrimp nets, or silver mullet nets may be used by holders of permits and by fishermen obtaining bait for their own use.

(10) With the exception of the gill nets mentioned in subparagraph (2) of this paragraph, no nets may be tied together, and no net shall be used within 100 yards of another net (excepting shrimp nets or silver mullet nets).

(b) *Closed waters.* (1) The following-described areas are closed to fishing with nets or seines, except cast nets, bully nets, or shrimp nets.

(i) All inland lakes, bays, canals, rivers and other bodies of water being ⅛ of a mile inland from the nearest recognizable mainland shoreline from the intersection of the northern park boundary with the Gulf of Mexico shore line southward to East Cape Sable excluding First Bay and including the area of Ponce de Leon Bay lying east of 81 degrees 08 minutes west longitude.

(ii) All inland lakes, bays, canals, rivers, and other bodies lying inland from the north shore of Florida Bay and Joe Bay and, in addition, the area north of a line drawn from Christian Point north of Joe Kemp Key to Shark Point and thence to Mosquito Point, including Otter Key. Entrances to such of the areas mentioned in this subparagraph as open on Florida Bay or the Gulf of Mexico will be posted with warning signs.

(2) The following-described area in the vicinity of Royal Palm Ranger Station is closed to all fishing: Township 58 south, range 37 east, sections 10 to 15, inclusive.

(3) The following described area bordering the Seven Mile Road (also known as the Humble Oil Well Road) from Tamiami Trail South, is closed to fishing: Township 54 South, range 36 east, sections 19, 30 and 31; township 55 south, range 36 east, sections 6, 7, 18, 19 and 30.

(c) *Protection of turtles.* The killing, wounding, capturing, molesting, or attempting to kill, wound, or capture any sea turtle or terrapin, or the disturbance of the nests or eggs thereof at any time is prohibited. The unauthorized possession within the park of the dead body or any part thereof, or of the eggs of any sea turtle or terrapin shall be prima facie evidence that the person or persons having such possession are guilty of violating this regulation.

(d) *Use of park roads.* The use of federally owned roads within Everglades National Park by trucks or other conveyances for hauling out of the park for commercial purposes, fish, shrimp, prawn, silver mullet, or other bait or edible products of the park waters, is prohibited except when such hauling is done by persons who own land within the park, or by their employees.

(e) *Prohibited conveyances.* No vehicle or conveyance, including conveyances commonly referred to as "glade buggies" or "airboats," designed to operate in, on, or over waters, swamps, or land areas, may be operated upon or across federally owned lands, including swamps and watered areas, unless prior authorization has been obtained from the Superintendent. This restriction shall not apply, however, to boats operated by oars, sails, or underwater propellers.

(f) *Applicability of State law.* Except as otherwise provided in this section and by § 1.4 of this chapter, all fishing in the waters of Everglades National Park shall be done in accordance with the laws of Florida and the regulations made pursuant thereto by the Game and Fresh Water Fish Commission and the State Board of Conservation.

(g) *Fishing; bait.* The placing or depositing of fish eggs, fish roe, food, or other substance in any inland lake, bay, canal, river or other body of water being ⅛ of a mile inland from the nearest recognizable shoreline, for the purpose of attracting, collecting, or feeding fish, is prohibited.

(h) *Feeding of animals.* The feeding, touching, teasing or molesting of any crocodile or alligator is prohibited.

(i) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 45 miles per hour on park roadways.

(j) *Mining*—(1) *Scope.* The regulations in this paragraph are made, prescribed, and published to govern the exploration, development, extraction, and removal of oil, gas, or other minerals on lands acquired for Everglades National Park subject to the reservation of the oil, gas, or mineral rights therein as authorized pursuant to the act of October 10, 1949 (63 Stat. 733).

(2) *Coordination of activities.* The paramount purpose of the Government in creating national parks and acquiring lands therefor is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. The act of October 10, 1949 (63 Stat. 733), provides in part that the mineral rights reserved pursuant to that act in lands acquired for Everglades National Park shall be exercised by the owners subject to reasonable rules and regulations which the Secretary of the Interior may prescribe for the protection of the Park; and further provides that all operations in the exercise of such rights shall be carried on under such regulations as the Secretary may prescribe to protect the lands and areas for park purposes. Accordingly, all parties in interest under mineral reservations are required to conform to, and be governed by, the regulations in this paragraph pertaining to mineral operations and to all other regulations applicable to Ever-

glades National Park: *Provided,* That such regulations shall not prevent the parties in interest from exercising their right to explore for, develop, extract, and remove the oil, gas, and other minerals from the Park area in accordance with sound conservation practices.

(3) *Operator.* As used in this paragraph, an operator shall mean anyone having the right (whether as owner of a reserved mineral interest, lessee, holder of operating rights, or otherwise) to prospect or explore for, develop, produce, or remove oil, gas, or other minerals under a mineral reservation pursuant to the act of October 10, 1949 (63 Stat. 733).

(4) *Registration.* Before entering the Park for the purpose of conducting any operations under a reserved mineral interest, the operator shall register with the Superintendent. Such registration shall show the operator's name and address, the name and address of operator's local agent in charge of operations, the approximate location where operations are to be conducted, a brief description of the proposed operations and of the type of equipment to be used, and reference or citation to the lease, operating agreement or other instrument upon which the operator's right to conduct operations is based.

(5) *Surface use restrictions.* The surface use of land within the Park shall be restricted to purposes of mineral exploration, development, and production. The operator shall take such reasonable steps as may be needed to prevent operations from unnecessarily causing or contributing to damage to any forage or timber growth or pollution of the waters of the Park; and, to the extent not inconsistent with the terms of the reserved mineral interest, shall conduct operations in such manner as to safeguard and protect the wildlife, scenic features, and recreational values and improvements. The operator shall secure approval of the Superintendent as to the location and purpose of any surface structures or buildings to be erected. The operator shall take such reasonable steps as may be needed to prevent and suppress forest, brush, or grass fires. Upon termination of operations, or at any time prior thereto as required by the Superintendent as to unneeded facilities, the operator shall fill any sump holes, ditches, and other excavations, remove structures and debris or cover same so as to restore the surface of the land to its former condition in a manner satisfactory to the Superintendent. The right to explore for or extract gas, oil, or other minerals from lands upon which there are mineral reservations shall be exercised in such manner that surface operations therefor will at no time come within 500 feet of any structure, road, or facility used for park purposes.

(6) *Access ways.* Access ways by water, or for roads, vehicle trails, or pipelines, shall be over routes approved by the Superintendent and subject to such reasonable restrictions as may be imposed by the Superintendent for protection of the Park. Each application for an access way shall be accompanied by a map showing the location of the property to be served and the location of the proposed water route, road, vehicle trail, or pipeline.

(k) *Unattended property.* No person shall leave unattended for more than 30 days any boat, airboat, houseboat, barge, or other floating property, or fish net, bait trap, crab trap, or other device used in catching products of the sea.

(l) *Reckless operation of boats.* The operation of any boat on waters of Everglades National Park in a careless or heedless manner, in willful or wanton disregard of the rights or safety of others, or without due caution and at speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

(1) *Speed of boats.* Except where different speed limits are indicated by posted signs or markers, speed of boats shall not exceed 40 miles per hour in the waters of the Park.

(m) *Lessee under a mining lease.* A lessee under a mining lease which was granted by the State of Florida prior to the enactment of the act of October 10, 1949 (63 Stat. 733), and which is still in force, being an operator having the right to prospect or explore for, develop, produce, or remove oil, gas, or other minerals, shall comply with the regulations contained in paragraph (j) (4), (5), and (6) of this section.

§ 7.46 Katmai National Monument.

(a) *Fishing*—(1) *Limit of catch and in possession.* The limit of catch per person per day shall not exceed two red salmon, and 10 fish or ten pounds and one fish of any other species. Possession of more than one day's limit of fish by any one person at any one time is prohibited.

(2) *Restrictions on use of bait and lures.* Fishing is permitted only with artificial lures. Each such artificial lure may consist of not more than two flies or not more than one plug, spoon, or spinner, to which may be attached not more than one treble hook; except that in Brooks River, other than in the area from the mouth of the river to a point approximately 880 feet upstream (as designated by National Park Service posted signs), the lures shall be restricted to not more than two flies. In said posted area, from the mouth of the river to a point approximately 880 feet upstream, plugs, spoons, and spinners with not more than one barbless treble hook and not more than one attractor blade may be used.

(3) *Closed waters.* Fishing is prohibited within 100 yards above and within 100 yards below the weir in Brooks River. Fishing from the fish ladder over Brooks Falls is also prohibited.

(4) *Natives.* Notwithstanding the above restrictions, native Aleuts and Eskimos residing in the region may take fish for personal use as food from August 20 to the end of each year.

§ 7.47 Carlsbad Caverns National Park.

(a) *Cave entry.* No person or persons may enter any undeveloped cave or cavern within Carlsbad Caverns National Park without prior approval in writing by the Superintendent.

(b) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 are as follows:

(1) The maximum speed of all vehicles on Walnut Canyon Entrance Road, also designated as New Mexico Highway No. 7, from the boundary line to the bottom of the Big Hill, four and one-half miles (4.5), is limited to 35 miles per hour as posted.

(2) From the point four and one-half miles (4.5) from the boundary line of the above road (1) to the parking areas, 30 miles per hour, as posted.

§ 7.48 Lake Mead National Recreation Area.

(a) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) In the immediate vicinity of camp grounds, picnic areas, swimming beaches, boat landings, and congested areas, where the roads are so posted, 20 miles per hour.

(2) On all other roads maintained for recreational area purposes, 50 miles per hour, except as dangerous sections may be posted to provide a lower limit.

(3) The regulations in this section shall not apply to highways designated as U. S. 93-466, east of Hoover Dam and that portion of the same route west of Boulder City, nor to Arizona State Highway 68 east of Davis Dam in Arizona, nor to Nevada State Highway 77 west of Davis Dam in Nevada.

(b) *Fishing.* Fishing from or within 200 feet of any public boat dock or any public raft or float designated for water sports is prohibited.

§ 7.49 Oregon Caves National Monument.

(a) *Admission to caves.* No person or persons shall be permitted to enter Oregon Caves unless accompanied by a guide. Children under the age of six will not be permitted to enter the caves. Competent guide service and a nursery for children too young to make the trip are provided by the Park Concessioner for which fees are charged in accordance with the schedule of rates approved by the Secretary of the Interior.

§ 7.50 Theodore Roosevelt National Memorial Park.

(a) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42(b) of this chapter are as follows:

(1) 15 miles per hour:

(i) In public campgrounds including approach and exit roads to campgrounds so posted.

(ii) Headquarters areas including approach and exit roads so posted.

(2) 25 miles per hour:

(i) On the Burning Coal Vein Road.

(3) 35 miles per hour:

(i) On all other public roads in the Park, except that vehicles shall be operated at safe driving speeds as provided in § 1.42(a) of this chapter.

§ 7.51 Vicksburg National Military Park.

(a) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles except ambulances and Government cars on emergency trips,

shall not exceed 30 miles per hour on park roadways.

§ 7.52 Devils Tower National Monument.

(a) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 35 miles per hour, except where different speed limits are indicated.

§ 7.53 Scotts Bluff National Monument.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 25 miles per hour on any of the Monument roads unless different speed limits are indicated by posted signs or markers.

§ 7.54 Colorado National Monument.

(a) *Speed.* Speed of automobiles and other vehicles in the Monument, except in emergencies as provided in § 1.42(b) of this chapter, is limited to 35 miles per hour.

§ 7.55 Acadia National Park.

(a) *Limitations on speed.* The speed of automobiles and other vehicles, except ambulances and government vehicles on emergency trips, is limited to 35 miles per hour.

(b) *Boats.* Boats shall not be launched or beached in designated swimming areas except to effect rescue. The provisions of this section shall not apply to boats operated for official use by any Federal or State agency.

§ 7.56 Petersburg National Military Park.

(a) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42(b) of this chapter, are as follows:

(1) 35 miles per hour:

(i) On the Flank, Defense, and Siege Roads, except that vehicles shall be operated at safe driving speeds as provided in § 1.42 (a) of this chapter.

(2) 25 miles per hour:

(i) On the Prince George Courthouse Road and Attack Road.

(ii) On the Loop Road in the Battery 5 area.

(iii) Except that vehicles shall be operated at safe driving speeds as provided in § 1.42(a) of this chapter.

§ 7.58 Cape Hatteras National Seashore Recreational Area; hunting.

(a) *Hunting.* (1) Lands within the Seashore on which hunting is legally permitted are designated as follows:

(i) Ocracoke Island, except Ocracoke village.

(ii) Hatteras Island, 500 acres, in three disconnected strips 250 feet wide measuring eastward from mean high water mark on Pamlico Sound between villages of Salvo and Avon and Buxton, and between Frisco and Hatteras.

(iii) Bodie Island, 1,500 acres, between high water mark of Roanoke Sound and a line 2,000 feet west of and parallel to U. S. Highway 158, and from the north dike of the Goosewing Club property on the north to the north boundary of the Dare County tract on the south.

(2) Seashore lands on which hunting is not permitted will be posted accordingly.

(3) This hunting plan will be administered and enforced by the National Park Service, through the Service's authorized local representative, the Superintendent of the Seashore, hereinafter referred to as the Superintendent.

(4) The State of North Carolina will assist in the enforcement of applicable State and Federal hunting laws and otherwise in carrying out this plan.

(5) Hunting will be restricted to waterfowl, and more specifically to Canada geese, ducks and coot.

(6) Hunting privileges will be free for all hunters possessing a North Carolina State hunting license and Federal migratory bird hunting stamp.

(7) Permanent blinds will be constructed exclusively by the Seashore and these will be built only on Bodie Island. Setting up and use of temporary or portable blinds by hunters will be permitted on Hatteras and Ocracoke Islands.

(8) Minimum distance between blinds on Seashore land and ponds within the designated hunting areas will be 300 yards unless other conditions, such as natural screening, justify a shorter distance.

(9) Hunting on Ocracoke Island will be permitted and managed in the same manner as Hatteras Island.

(10) "Jump shooting" of waterfowl will be permitted only on Hatteras and Ocracoke Islands and is prohibited within 300 yards of any blind.

(11) Properly licensed and authorized guides may provide hunting guide service within the designated hunting areas in the Seashore. They will not be permitted to solicit business within the boundaries of the Seashore and all arrangements with hunters must be made outside of those boundaries. Guides will be required to possess a North Carolina State guide license and to fulfill all requirements and conditions imposed by that license. Fees charged by guides must be approved in advance by the Superintendent. Each guide must also possess a permit issued by the Superintendent which authorizes him to guide hunters within the Seashore and the amount of the fees which he may charge.

(12) Guides shall have no permanent or seasonal blind rights within the Seashore and no special privileges other than those specified in this section.

(13) At 5:00 a.m. each morning the day of hunting a drawing for blind assignments will be conducted at the check-out station. Advance reservations for permission to draw will be accepted through the United States mail only. Reservations postmarked prior to 12:01 a.m. of September 25 will not be accepted. The postmark date and hour will establish and govern the priority of drawing. Maximum reservation by any person shall be three (3) consecutive days in any week, Monday through Saturday, and limited to a total of six (6) days during the season. Reservations shall have priority over nonreservations at drawing time. In the event a reservation is to be canceled, the Superintendent shall be informed by the party prior to drawing time for the date or dates of the reservation.

(14) The first departure from a blind by a person terminates his hunting privilege within Bodie Island for that day and the blinds may be reassigned by the Superintendent, Cape Hatteras National Seashore Recreational Area, or his duly authorized representative, for use by others later the same day. Vacating parties must check out and furnish information regarding their take at the checking station on Bodie Island located near the north boundary of the hunting area.

(15) Hunters and guides shall provide their own decoys and are required to leave the blind which they used in a clean, sanitary and undamaged condition.

(16) All hunters taking banded fowl shall turn in the bands at the check-out station.

(17) Details of this plan, interpretations and further information regarding it will be published in local newspapers and issued in circular form free to all interested persons.

(18) Access to blinds will be by designated foot trails. Vehicles will not be permitted to drive to the blind sites.

(19) Trained dogs will be permitted for retrieving providing they are kept under restraint by the hunter.

(20) Blinds will be limited to two persons without a guide and three including the guide. Only two guns will be permitted in each blind.

(21) All other regulations will be in accordance with the North Carolina State and Federal migratory bird hunting laws.

(b) *Speed.* Speed limits in Cape Hatteras National Seashore Recreational Area, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows:

(1) 55 miles per hour:

(i) On the entrance road from U.S. Routes 64 and 264, at Whalebone Junction, south for a distance of 5.5 miles to North Carolina State Highway (unnumbered).

(2) 35 miles per hour:

(i) Bodie Island Lighthouse Road.

(ii) Cape Hatteras Lighthouse Road including Loop Road.

(3) 20 miles per hour:

(i) Coquina Beach Road.

§ 7.59 Wind Cave National Park.

(a) *Speed.* Speed of automobiles and other vehicles, except in emergencies as provided in § 1.42(b) of this chapter, is limited to 25 miles per hour on Highways U.S. 385 and S.D. 87 from a point 0.4 of a mile north of the Visitor Center to a point 0.4 of a mile south of the Visitor Center.

PART 8—LABOR STANDARDS APPLICABLE TO EMPLOYEES OF NATIONAL PARK SERVICE CONCESSIONERS

Sec.
8.1 Definitions.
8.2 Basis and purpose.
8.3 Applicability.
8.4 Child labor.
8.5 Federal and State labor laws.
8.6 Access or investigators.
8.7 Complaints.
8.8 Record keeping.
8.9 Filing of labor agreements.
8.10 Posting of regulations.

AUTHORITY: §§ 8.1 to 8.10 issued under sec. 3, 26 Stat. 843, as amended, secs. 1–3, 39 Stat. 535, as amended, sec. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 363.

§ 8.1 Definitions.

As used in this part:

(a) "Secretary" means the Secretary of the Interior, the Under Secretary, an Assistant Secretary, or such other officer or employee of the Department of the Interior as the Secretary may designate.

(b) "Director" means the Director of the National Park Service.

(c) "Superintendent" includes a custodian, caretaker, manager, or other person in charge of a national park.

(d) "National park" includes a national monument or other area under the administrative jurisdiction of the National Park Service of the Department of the Interior.

(e) "Concessioner" includes any individual, partnership, corporation, or other business entity engaged in operating facilities within or without a national park for the accommodation of visitors to the park under a contract with or permit from the Secretary or the Director.

(f) "Employee" includes any individual employed by a concessioner in connection with operations covered by a contract with or permit from the Secretary or the Director.

(g) "Executive or department head" includes any employee whose primary duty is the management of the business of the concessioner, or a customarily recognized department thereof, and who customarily and regularly directs the work of other employees with authority to employ and discharge other employees, or whose suggestions and recommendations as to the employment, discharge, advancement, or promotion of such employees will be given particular weight by the concessioner, and who customarily and regularly exercises discretionary powers.

(h) "State" means any State, Territory, possession, or the District of Columbia.

§ 8.2 Basis and purpose.

The public using the national parks is better served when the employees of the concessioners enjoy the benefits of fair labor standards and when, in this respect, they are treated at least as well as those employed in similar occupations outside such areas, but within the same State. This principle is the basis of the regulations in this part and their purpose is its implementation.

§ 8.3 Applicability.

This part shall not apply to:

(a) Concessioners providing and operating medical services.

(b) Personal servants.

(c) Employees engaged in agricultural activities, including the care, handling, and feeding of livestock.

(d) Detectives, watchmen, guards, and caretakers.

(e) Bona fide executives or department heads.

(f) Solicitors or outside salesmen whose compensation is chiefly on a commission basis.

(g) Professional sports instructors and entertainers.

(h) The following employees, when approved by the Director: Employees for whom relief is clearly impracticable because of peculiar conditions arising from the fact that operations are carried on in areas having no resident population or are located at long distances from a supply of available labor; employees whose employment requires special or technical training or skill, where no person capable of providing relief is available within a reasonable distance; employees in small units accessible only by trail or remote from centers of activity, or operating on a small volume of business primarily for the convenience of the public.

§ 8.4 Child labor.

No person under 16 years of age may be employed by a concessioner in any occupation. No person under 18 years of age may be employed for more than 8 hours a day, 6 days a week or between the hours of 10 p. m. and 6 a. m. No person under 18 years of age may be employed in any occupation in which the employment of such a minor is prohibited by the laws of the United States or of the State in which he is employed, even though, but for the provisions of this section, compliance with such laws would not be compulsory. For the purpose of proving age under this regulation a State employment or age certificate or the corresponding Federal certificate of age shall be accepted as conclusive proof of the minor's age.

§ 8.5 Federal and State labor laws.

Concessioners shall comply with the standards established from time to time, by or pursuant to Federal or State labor laws otherwise applicable in the State of employment, such as those concerning minimum wages, child labor, hours of work, and safety, which would apply to the employees of the concessioner if his establishment were not located in a national park.

§ 8.6 Access for investigators.

Concessioners shall permit representatives of this Department and, when appropriate and authorized representatives of other Federal or State agencies, access to any of their places of employment for the purpose of examining pay rolls and other records and otherwise to ascertain the facts with respect to compliance with the regulations in this part and State labor laws. The report of any investigation concerning a violation of the regulations in this part shall be submitted to the superintendent of the national park involved.

§ 8.7 Complaints.

Any question pertaining to the interpretation or application of or compliance with this part which cannot be satisfactorily settled between a concessioner and his employee, employees, or employee representative may be referred to the Director for review by either one or both of the parties concerned. Any party adversely affected by the decision of the Director may request the Secretary to consider the issues involved. The Secretary shall thereupon take such action as he deems appropriate.

§ 8.8 Record keeping.

Concessioners shall for a period of 3 years keep records of the name, age, address, and occupation of each of their employees, the rate of pay and the amount paid to each employee each pay day, the hours worked each day and each work week by each employee and such other information concerning employees as the Director may require.

§ 8.9 Filing of labor agreements.

Within 60 days after the effective date of the regulations in this part (January 1, 1949), concessioners shall file with the Director of the National Park Service a copy of each labor agreement in effect on the effective date of the regulations in this part, covering rates of pay, hours of work, and conditions of employment duly negotiated with their employees as a whole or by class, craft, or other appropriate unit. Thereafter, on July 1 of each year concessioners shall file copies of all such agreements then in effect with the Director of the National Park Service.

§ 8.10 Posting of regulations.

Concessioners shall post in a conspicuous place easily accessible to all employees copies of the regulations in this part in such form as the Director may approve.

PART 9—PROCEDURE AND BUSINESS OF THE NATIONAL PARK TRUST FUND BOARD

Sec.
9.1 Definition.
9.2 Officers.
9.3 Meetings; duties of officers.
9.4 Donations.
9.5 Acceptance of donations.

AUTHORITY: §§ 9.1 to 9.5 issued under secs. 1, 2, 49 Stat. 477, as amended; 16 U.S.C. 19, 19a.

§ 9.1 Definition.

As used in the regulations in this part, the term "Board" means the National Park Trust Fund Board.

§ 9.2 Officers.

The Secretary of the Interior shall be the Chairman of the Board, and the Director of the National Park Service shall be the Secretary.

§ 9.3 Meetings; duties of officers.

(a) The Chairman may call meetings of the Board at such times and places as he may determine upon due notice to all members. The Chairman shall preside at the meetings, and in the temporary absence or disability of the Chairman the members present shall select a temporary Chairman to act in his stead.

(b) The Secretary shall keep a complete and accurate record of all meetings of the Board, and shall be the custodian of the records of the Board and of its seal. It shall be the duty of the Secretary to attest under the seal of the Board all certified copies of the official records of the Board that may be required. The Secretary shall prepare and submit to the Congress on behalf of the Board an annual report of the moneys or securities received and held by the Board and of its activities.

§ 9.4 Donations.

Trust funds in the form of money, securities, or other personal property may be given or bequeathed to the Board in form substantially as follows: "To the National Park Trust Fund Board, to be expendable, principal and interest, for the benefit of, or in connection with, the National Park Service, its activities, or its services, as may be approved by the Board." The donor may specify a particular purpose or purposes for which the gift or bequest is made: *Provided, however,* That the Board may reject any gift or bequest which entails any terms or conditions unacceptable to the Board.

§ 9.5 Acceptance of donations.

(a) Gifts or bequests may be accepted on behalf of the Board upon the written approval of three of its members.

(b) The Director of the National Park Service may, as a member and Secretary of the Board, accept on behalf of the Board any gift or bequest which does not specify any particular purpose or purposes and shall notify the Board of his action.

(c) Upon the acceptance of any gift or bequest, it shall be the duty of the Secretary to record the same in the records of the Board, showing the nature and amount thereof, and the name of the donor. The Secretary shall advise the donor or his representative of the Board's acceptance of the gift or bequest.

PART 10—DISPOSAL OF CERTAIN WILD ANIMALS

Sec.
10.1 Animals available.
10.2 Charges.
10.3 Application; requirements.
10.4 Shipment.

AUTHORITY: §§ 10.1 to 10.4 issued under secs. 1–3, 39 Stat. 535, as amended; 42 Stat. 1214, 45 Stat. 1644, secs. 1, 2, 52 Stat. 708, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 36 36a, 141c.

§ 10.1 Animals available.

From time to time there are surplus live elk, buffaloes and bears in Yellowstone National Park, and live buffaloes in Wind Cave National Park which the Secretary may, in his discretion, dispose of to Federal, State, county and municipal authorities for preserves, zoos, zoological gardens, and parks. When surplus live elk and buffaloes are available from these national parks, the Secretary may, in his discretion, dispose of these to individuals and private institutions.

§ 10.2 Charges.

No charge will be made for the animals, but the receiver will be required to make a deposit with the appropriate superintendent to defray the expense of capturing, crating, and transporting them to the point of shipment. The receiver may also be required to pay for the services of a veterinarian for testing, vaccinating, and treating the animals at the park for communicable diseases and parasites. Estimates of such expenses will be furnished by the appropriate superintendent upon request.

§ 10.3 Application; requirements.

(a) Applications for animals should be directed to the appropriate superintendent, stating the kind, number, age, and sex of animals desired. The post office address for Yellowstone National Park is Yellowstone Park, Wyoming, and for Wind Cave National Park is Hot Springs, South Dakota.

(b) Applicants desiring animals which are to be held in enclosures must show that they have suitable facilities for the care of the animals. Operators of game farms or private preserves must submit evidence of their authority to engage in such operations.

(c) When any animals are desired for liberation on private lands, the application must be accompanied by the written concurrence of the State agency having jurisdiction over wildlife. When any animals are desired for liberation on lands in the vicinity of lands owned or controlled by the Federal Government, the application must be accompanied by the written concurrence of the agency or agencies having jurisdiction over the Federally owned or controlled lands.

(d) Applications will not be granted when the animals are to be slaughtered, or are to be released without adequate protection from premature hunting.

§ 10.4 Shipment.

(a) Elk, buffaloes, and bears may be obtained at the Park and be removed by truck. Elk and buffaloes, when not transported by truck, must be crated individually for rail shipment in less than carload lots. Bears must be crated individually regardless of the number furnished or the character of the conveyance.

(b) The receiver must furnish shipping crates constructed in accordance with National Park Service specifications.

PART 20—ISLE ROYALE NATIONAL PARK; COMMERCIAL FISHING

Sec.
20.1 Definitions.
20.2 Permits; conditions.
20.3 Maximum number of permittees.
20.4 Revocation of permits; appeal.

AUTHORITY: §§ 20.1 to 20.4 issued under secs. 1–3, 39 Stat. 535, as amended, sec. 3, 56 Stat. 133, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 408k.

§ 20.1 Definitions.

As used in this part:

(a) "Secretary" means the Secretary of the Interior.

(b) "Director" means the Director of the National Park Service.

(c) "Regional Director" means the Regional Director, Region Two, of the National Park Service.

(d) "Park" means Isle Royale National Park.

(e) "Permittee" includes all persons engaged in commercial fishing from bases in the Park, except those life lessees who were engaged in such occupation at the date of the issuance of their leases.

§ 20.2 Permits; conditions.

Annual, revocable special use permits authorizing the use of Government-owned structures and facilities in the Park as bases for commercial fishing in the waters contiguous to the Park may be granted by the Director of the National Park Service, or the Regional Director if authorized by the Director, to bona fide commercial fishermen, where such structures and facilities were used for this purpose during the period from April 1, 1937, to December 31, 1939, inclusive, subject to the following conditions.

(a) Permittees will be required to pay an annual fee as set forth in Part 6 of this chapter.

(b) Permittees shall personally reside at their Park bases during the fishing season.

(c) Permittees shall secure and possess at all times such commercial fishing license as may be required by the State of Michigan.

(d) Permittees shall comply with all Michigan laws, and related regulations prescribed by the Michigan Department of Conservation, governing commercial fishing in the waters contiguous to the Park.

(e) Permittees shall use the bases covered by the permit for commercial fishing only. No permittee shall furnish boat or guide service to the public unless expressly authorized to do so by the Secretary or the Director.

(f) Permittees shall maintain at their own expense, in accordance with reasonable standards of repair, safety, and sanitation, all Government-owned structures and facilities embraced in the permits.

(g) The size, type and location of nets and gear and the number of men engaged in the operation of the fishing base of the permittee shall be prescribed in the permit. Only nets and gear approved by the Michigan Department of Conservation shall be used.

§ 20.3 Maximum number of permittees.

Commercial fishermen to whom the annual revocable permits may be granted shall not exceed the maximum number of persons conducting commercial fishing operations from bases in the area comprising the Park at any one time during the period from April 1, 1937 to December 31, 1939, inclusive.

§ 20.4 Revocation of permits; appeal.

The Director may, by notification in writing, revoke the permit of any permittee found by him to have violated any Federal statute, or the provisions of these or any other regulations of the Secretary, relating to the Park. A permittee, however, shall have the right to appeal to the Secretary from a decision of the Director revoking his permit, but such appeal shall not be entitled to review unless it is received by the Secretary within the period of 20 days following the date the Director's notification, together with a copy of the regulations in this part, is served upon the permittee by the Superintendent of the Park, or his duly authorized agent.

PART 21—HOT SPRINGS NATIONAL PARK; BATHHOUSE REGULATIONS

Sec.
21.1 Definitions.
21.2 Use and waste of water.
21.3 Transfers of stock or interest in bathhouses.
21.4 Federal Registration Board, officers.
21.5 Quorum.
21.6 Meetings.
21.7 Minutes.
21.8 Examinations.
21.9 Fees.
21.10 Registration of physicians.
21.11 Removal from register.
21.12 Removal from register; appeal.
21.13 Applicants.
21.14 Conduct of registered physicians.
21.15 Examining Board for Technicians.
21.16 Suspension of certificate.
21.17 Hours of operation.
21.18 Requirements for bathing.
21.19 Changes in bathing directions; standard bath directions.
21.20 Supervision of treatments.
21.21 Use of pools.
21.22 Persons excluded from the pools.
21.23 Transfer and redemption of tickets.
21.24 Lost tickets.
21.25 Physical examinations.
21.26 Solicitation by employees.
21.27 Prescriptions and use of medical instruments.
21.28 Fees.
21.29 Badges for bath attendants.
21.30 Accidents.
21.31 Losses.

AUTHORITY: §§ 21.1 to 21.31 issued under sec. 3, 20 Stat. 258, as amended, sec. 3, 26 Stat. 843, as amended, secs. 1–3, 39 Stat. 535, as amended, sec. 1, 41 Stat. 918, as amended, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 361, 363, 369.

§ 21.1 Definitions.

When used in the regulations in this part:

(a) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

(b) The term "Director" means the Director of the National Park Service and the Regional Director, Region Three.

(c) The term "Superintendent" means the Superintendent of Hot Springs National Park, Arkansas.

(d) The term "concessioner" means any individual, trustee, partnership, corporation, or other business entity operating a bathhouse receiving water from Hot Springs National Park under lease or contract authorization by the Secretary.

(e) The term "physician" means a physician or surgeon, or any person publicly professing to cure or heal.

(f) The term "registered physician" means a physician registered at the office of the Superintendent as authorized to prescribe the waters of Hot Springs National Park.

(g) The term "technician" means any person certified and licensed by the Superintendent to perform special duties pertaining to services rendered in the bathhouses.

(h) The term "employee" means any employee of a bathhouse concessioner whose duties include any part of the operation of a bathhouse or rendering bathing or special services to the public, and includes technicians.

§ 21.2 Use and waste of water.

(a) The use of hot mineral waters of Hot Springs National Park for other than bathing or other therapeutic purposes is prohibited.

(b) The wasting of the hot mineral waters of Hot Springs National Park is prohibited.

(c) The heating, reheating, or otherwise increasing the temperature of the hot mineral waters of Hot Springs National Park is prohibited.

(d) The introduction of any substance, chemical, or other material or solution into the hot mineral waters of Hot Springs National Park, except as may be directed by a registered physician, is prohibited.

§ 21.3 Transfers of stock or interest in bathhouses.

All proposed transfers of stock in bathhouses receiving hot water from Hot Springs National Park must receive approval, in writing of the Director, before the transfer is consummated. Transfers of stock or interest in bathhouses will not be valid unless approved in this manner.

§ 21.4 Federal Registration Board, officers.

(a) An advisory and examining board, designated as "The Hot Springs National Park Federal Registration Board," shall be appointed by the Secretary. The board shall consist of six members, five of whom shall be members of the Garland County Hot Springs Medical Society, and one the Superintendent of Hot Springs National Park. The Superintendent shall act as secretary of the board. The functions of the board shall

be to advise the Superintendent concerning the use of the waters of Hot Springs National Park and to examine and approve, in proper cases, applicants for registration.

(b) There shall be a president elected by the board, who shall serve one year and until his successor is elected and qualified. Such election shall be at the annual meeting, which shall be the first meeting of the board after the personnel thereof for the ensuing year has been determined by the Secretary of the Interior. Should a vacancy occur in the office of the president by death, resignation, or otherwise, such vacancy shall be filled by the board at its first regular meeting next succeeding the date the vacancy occurs, or at a special meeting of the board called for that purpose.

§ 21.5 Quorum.

Three members of the board shall constitute a quorum, with full authority to transact any and all business that may come before the board.

§ 21.6 Meetings.

(a) Regular bimonthly meetings shall be established by the board and special meetings may be held as the president of the board deems necessary, prior notice thereof having been duly announced: *Provided, however,* That the president may waive regular meetings when no appropriate business exists for consideration by the board.

(b) All routine business shall be filed with the secretary of the board at least 24 hours before the designated meeting time. Matters for consideration not filed as indicated above for the meeting will be held for consideration at the next regular or special meeting.

(c) The order for the transaction of business before the board shall be as follows:

(1) Reading and approval of the minutes of the preceding meeting.

(2) Consideration of unfinished business.

(3) Consideration of new business.

(4) Consideration of applicants for registration.

(5) Miscellaneous business.

§ 21.7 Minutes.

Minutes of all business transacted by the board shall be reduced to writing and be copied in a record provided for the purpose, and at the next regular or special meeting, the minutes of the previous meeting shall be read and approved, with such corrections, if any, as the board may consider proper to make.

§ 21.8 Examinations.

Examinations of applicants for registration shall be held quarterly on a date to be fixed by the board. Any registered physician hereafter dropped from the list of registered physicians will not be restored until after he successfully passes the regular examination prescribed by the board for original registration, nor shall any such physician be eligible for examination for a period of five years from the date on which his name was dropped from the registered list: *Provided,* That the Secretary of the Interior may, in his discretion, authorize the examination of such physician at any time after one year from said date.

§ 21.9 Fees.

Applicants for examination, preliminary to registration, will be required to pay the sum of $10 to the Superintendent as an examination fee prior to admittance to examination. Persons having complied with the requirements for registration will be required to pay the sum of $15 to the Superintendent as a registration fee prior to their names being placed on the list of registered physicians. The fees prescribed by this section are payable in advance in the form of postal money order or certified or cashier's check in net amount of the fee, drawn to the order of the Treasurer of the United States, or in legal tender, and are not subject to refund, either in whole or in part.

§ 21.10 Registration of physicians.

Physicians desiring to prescribe the waters of the hot springs, either internally or through the medium of baths, must first be registered at the office of the Superintendent, and shall use only such uniform form of bathing directions as meets with the approval of the Superintendent. Registration will be accorded only to such physicians as are found to have proper professional qualifications and character. No physician who shall be convicted of any offense involving moral turpitude against the laws of the United States or any State, or who shall violate any regulation of the Arkansas State Board of Health, or who shall engage in unprofessional, disreputable, or dishonest conduct, or who is addicted to the drug or other habit which disqualifies him for the performance of his professional duties, shall be or remain registered.

§ 21.11 Removal from register.

If a charge is made to the Superintendent in writing, under oath, supported by the affidavits of two or more reputable witnesses, that a registered physician has violated any of the laws or regulations pertaining to the government of the bathhouses receiving hot water from said Park, such registered physician shall be immediately notified by the Superintendent of the fact that affidavits have been made against him and, in the presence of the Superintendent, be accorded an opportunity to cross-examine the witnesses on the subject thereof; and if in the judgment of the Superintendent the facts warrant such action, he will cite such registered physician to appear before him on a day to be named within not exceeding 5 days from the date of notice to show cause why his name should not be stricken from the register of physicians authorized to prescribe the waters of said springs; and pending the investigation and final action upon the charges, the right of such registered physician to prescribe the hot waters may be suspended by the Secretary of the Interior. The registered physician, against whom such complaint is made, shall have the right to cross-examine said affiants and any witnesses who may appear before the Superintendent, or to file written interrogatories pertinent to the issue, addressed to such complainants or witnesses, to be answered by them under oath, and may submit within 5 days thereafter counter-affidavits in answer to the charges made in the affidavits of the witnesses. The complainants or witnesses may file rebuttal affidavits within 5 days after service upon them of said counter-affidavits. The hearing of said charges shall be had on the record as so made, and the recommendation of the Superintendent in the premises forwarded to the Secretary of the Interior through the Federal Registration Board, which board, after reviewing the record and the recommendation of the Superintendent, shall thereafter promptly submit its findings as a board of review, together with such supplemental recommendations as it may appear proper, to the Secretary of the Interior.

§ 21.12 Removal from register; appeal.

An appeal from the recommendation of the Superintendent upon said record may be taken to the Secretary of the Interior within 5 days from the date of service by the Superintendent of a copy of his recommendation on the accused. If upon consideration of the complaint the charge is not sustained by the Secretary, the accused will be advised at once and the charges dismissed. If, however, such charge is sustained, the name of the registered physician shall be stricken from the registered list.

§ 21.13 Applicants.

The following rules shall govern applicants for registration:

(a) To be entitled to registration, applicants must be citizens of the United States of America and be graduates of a reputable medical school or of a reputable school of osteopathy, and must have complied with the laws of the State of Arkansas relating to the admission of physicians to the practice of medicine and surgery, or either, within said State.

(b) Applicants will be required to furnish, in writing, such evidence as the board may desire, touching their personal history and moral character and standing during the 5 years next preceding the date of their applications, such evidence to be placed in the hands of the secretary of the board not later than 10 days prior to the regular date for examination of applicants. Applicants will also be required to submit to such examination as the board may consider proper, concerning their knowledge of medicine and surgery and their qualifications to prescribe the hot waters.

(c) Physicians who have successfully passed the examination of the National Board of Medical Examiners shall not be required to submit to an examination by the Federal Registration Broad: *Provided,* That the board shall be assured through examination of the candidate or through evidence acceptable to the board that the candidate has a suitable knowledge and ability in the use of hydrotherapy: *And further provided,* That his moral and ethical qualifications are satisfactory upon investigation by the board.

(d) An applicant who twice fails in his examination before the Federal Registration Board shall not be permitted to again take the examination prescribed

by the board until after the lapse of one year from the date of his last failure.

§ 21.14 Conduct of registered physicians.

(a) No registered physician shall be permitted to associate himself in practice looking to the prescribing of the waters of the Hot Springs with a nonregistered physician, under penalty of having his name removed from the registered list. Before any assistant is employed by a registered physician, his name must be submitted to the Superintendent, together with such other information as may be called for by the Superintendent. Registered physicians must also notify the Superintendent of any contemplated absence from Hot Springs and give the name of the person in charge of his office during such absence. Registered physicians will be held strictly accountable for the actions of their assistants, and any violation of the regulations in this part by the registered physician or his assistant or assistants will be deemed sufficient cause for the removal of the name of such registered physician from the registered list. The name of any registered physician who shall give bath directions for the patient of a nonregistered physician shall be removed from the registered list, but this shall not apply to the prescribing of the waters of the Hot Springs for the patient of another practitioner who, while legally licensed by the State of Arkansas to treat ailments of the human system, is not eligible for registration under § 21.12; *Provided*, That in all such cases the registered physician so prescribing shall deal directly with the patient and shall receive no fee, commission, or other compensation, either directly or indirectly, from such other practitioner under penalty of having his name removed from the registered list: *And provided further*, That the name of such other practitioner treating such patient shall be given on the bath directions.

(b) No registered physician, upon removal of his offices from one location to another, may publish in any newspaper, or other periodical, notice to that effect for a longer period than 3 days. Notices of return from an absence may not be published for a longer period than 3 days or for any absence of less than 10 consecutive days. Such notices shall be simple in form and free of advertising elements, such as office hours, telephone numbers, specialties, and prices for consultation.

(c) Registered physicians, occupying offices formerly occupied by physicians who have died, retired, or have been placed on the nonactive list of registered physicians, are required to have the names of such nonactive physicians removed without delay from signs, windows, and directories in the building in which such physicians formerly practiced, and upon noncompliance with this provision within 10 days may be suspended by the Secretary of the Interior until the delinquencies have been remedied.

(d) The provisions of this section shall not apply to physicians stationed at the Army and Navy General Hospital not doing outside practice.

(e) Any registered physician desiring to change his residence from Hot Springs or to retire from active practice longer than one year, and during such absence retain his registration, shall file application, in writing, with the Superintendent to be placed upon the nonresident list. If such registered physician whose name has been placed upon the nonresident list should desire to return to active practice at Hot Springs and have his name again placed upon the list of registered physicians, he may so apply in writing, stating his residence and occupation during the time he has been on the nonresident list, and shall give three references who can vouch for his conduct. The Federal Registration Board shall require an endorsement by the Garland County Hot Springs Medical Society of any registered physician whose name has been placed upon the nonresident list requesting his name to be restored to the active list of registered physicians and upon restoration such registered physician shall be governed by all the rules applying to registered physicians.

(f) The board, by action at a regular meeting, shall have the power to remove the names of registered physicians from the registered list who have ceased to practice medicine in Hot Springs National Park, Arkansas, and have departed without informing the board or the Superintendent of their intentions to be placed upon the inactive list or to have their names removed from the registered list.

(g) The provisions of this section are subject to amendment at any regular meeting of the board on the giving of 30 days' notice in writing of the proposed amendment, subject, however, to the approval of the Secretary of the Interior.

§ 21.15 Examining Board for Technicians.

(a) An Examining Board for Technicians shall be appointed by the Superintendent, subject to the approval of the Director, to consist of the following members:

(1) One registered physician, to be nominated by the Federal Registration Board.

(2) One registered physiotherapist-hydrotherapist.

(3) One registered masseur.

(4) One registered bath attendant, preferably a head attendant.

(5) One member of the Superintendent's staff, who shall also be the executive secretary of the board.

(b) The board at its first meeting shall elect a president from among its members, excluding the representative of the Superintendent's staff who shall always be ineligible for any other position than executive secretary.

(c) Three members present shall constitute a quorum. Any member undergoing disciplinary action or in suspension from duty shall not remain a member of the board.

(d) The board shall meet on the third Friday in January of each year and from time to time throughout the year, subject to the call of the president, to transact such business as shall be properly presented by the executive secretary.

(e) The board will recommend to the Superintendent any necessary replacements of personnel of the board to fill vacancies.

(f) The board shall prescribe the requirements and will conduct the written examinations for all applicants seeking to be registered physiotherapists, hydrotherapists, masseurs, and bath attendants in the bathhouses.

(g) The board shall have the power to determine the qualifications of individuals seeking to be registered as qualified beauticians and chiropodists in the bathhouses.

(h) The board shall recommend to the Superintendent the granting of certificates to applicants who shall successfully pass the written or practical examinations required of all candidates coming before it.

§ 21.16 Suspension of certificate.

The certificate of qualification of a technician discharged for cause shall be suspended by the Superintendent, and the said person shall not be employed in any capacity in any bathhouse without recertification, which may be made only after a period of six months.

§ 21.17 Hours of operation.

The hours for operation of all departments of bathhouses receiving hot water from Hot Springs National Park shall be those expressly designated by the Superintendent.

§ 21.18 Requirements for bathing.

(a) No bathhouse concessioner shall bathe (1) any applicant for baths who is under medical treatment unless said applicant presents satisfactory evidence that he or she is the patient of a registered physician, or (2) any applicant for baths not under the care of a physician unless said applicant shall make a certificate to be filed with the bathhouse concessioner that he or she is not under the care of any physician. The violation of this paragraph by the concessioner, manager, or any employee of a bathhouse, will result in the cutting off of the water from the bathhouse or the cancelling of the contract, as the Secretary of the Interior may determine.

(b) Should any person not under the care of a physician at the commencement of baths, as permitted under paragraph (a) (2) of this section, subsequently employ, consult, or take treatment from any physician, then in such case, he or she shall immediately file with the bathhouse concessioner evidence thereof as required under paragraph (a) of this section.

§ 21.19 Changes in bathing directions; standard bath directions.

Baths shall be administered to patrons who do not have registered physicians' bathing directions in accordance with the standard bath directions prescribed by the Superintendent. Baths shall be administered to persons having registered physicians' bathing directions only in accordance with the instructions given therein.

§ 21.20 Supervision of treatments.

Treatments, manipulations, or exercises shall be given only by or under the direct supervision of a technician.

§ 21.21 Use of pools.

No person shall use the pools except on presenting a prescription describing the treatment from a registered physician. A period of two weeks must have elapsed since the subsidence of abnormal temperature in persons who have had any acute infectious disease or acute respiratory disease before they may be permitted to enter the pools. A period of one month must have elapsed since the subsidence of acute features in acute anterior poliomyelitis before the patient may be permitted to enter the pools.

§ 21.22 Persons excluded from the pools.

The following persons are excluded from and will not be given treatments in the pools:

(a) Persons with acute or infectious lesions on any part of the body, particularly of the skin, throat, or genitalia.

(b) Persons with a discharge from the eyes, nose, mouth, ears, or genitalia.

(c) Persons showing abnormal temperature or marked cough.

(d) Persons without complete control of the bladder or rectum.

§ 21.23 Transfer and redemption of tickets.

Tickets for baths and other services are not transferable by the purchaser thereof. Unused tickets may be redeemed by the purchaser within three years from the date of purchase, according to the redemption scale approved by the Secretary of the Interior.

§ 21.24 Lost tickets.

A patron who loses his ticket may continue to receive service, without additional charge, for the number of units remaining in the ticket. Records of lost tickets, and of service given thereunder, shall be maintained as required by the Superintendent. Lost tickets shall have no redemption value.

§ 21.25 Physical examinations.

No technician or other employee who comes in direct personal contact with bathers will be permitted to enter on duty without first undergoing physical examinations, or remain in such employment without undergoing periodic physical examinations, as required by the Superintendent, and being found free from any infectious or communicable diseases.

Cross Reference: For list of communicable diseases included in the regulations of the United States Public Health Service, see 42 CFR 72.2.

§ 21.26 Solicitation by employees.

Soliciting by employees for any purpose, including soliciting for gratuities, commonly called "tips," is prohibited in all bathhouses.

§ 21.27 Prescriptions and use of medical instruments.

No technician may prescribe diets or waters, make diagnoses of ailments, or use in his work a clinical thermometer, stethoscope, or any other medical instrument employed by a physician.

§ 21.28 Fees.

Technicians shall charge for their services the rates provided and approved for them by the Secretary, which fees shall be collected and accounted for to them by the bathhouse management.

§ 21.29 Badges for bath attendants.

Bath attendants, when granted certificates of qualification, shall obtain a numbered badge, to be furnished at cost by the Superintendent, which shall be worn at all times when such attendants are on duty.

§ 21.30 Accidents.

A bathhouse manager shall report, in writing, all accidents which occur in bathhouses to the office of the Superintendent. In case circumstances preclude a written report being submitted immediately, an oral report must be made immediately which must be substantiated by a written report at the earliest possible time.

§ 21.31 Losses.

A bathhouse concessioner receiving deposits of jewelry, money, or other valuables from bathers shall provide means for the safekeeping thereof, satisfactory to the Superintendent. It is understood, however, that the Government assumes no responsibility in the premises. All losses must be reported, in writing, to the Superintendent promptly by the bathhouse manager. Any losses or thefts, no matter how small, should be reported immediately in order that proper action can be taken for the benefit of the bathhouse and the public.

PART 22—GLACIER NATIONAL PARK; TIMBER DISPOSAL REGULATIONS

Sec.

22.1 Disposal of fuel wood, forest products; cutting of timber.
22.2 Deadwood operations.
22.3 Brush disposal.
22.4 Minimum price list for poles, posts, lumber, etc., cut from dead or down timber in Glacier National Park.
22.5 Concessioners.

AUTHORITY: §§ 22.1 to 22.5 issued under sec. 2, 36 Stat. 354, secs. 1–3, 39 Stat. 535, as amended 1122, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 162, 167.

§ 22.1 Disposal of fuel wood, forest products; cutting of timber.

The disposal of fuel wood, poles, and other forest products in Glacier National Park by sale to individuals is permitted only where such disposal will be of benefit to the stand of timber through the reduction of existing fire hazards. In no instance will the cutting of green timber be permitted for use by the public excepting on road right-of-way clearing projects where such timber may be made available.

§ 22.2 Deadwood operations.

(a) All deadwood permits shall be issued and approved in writing through the superintendent's office prior to the initiation of any cutting activities. Application for such permits should be made to the district rangers.

(b) All wood cut shall be utilized to a 4-inch diameter unless rotten. All butt logs shall be utilized by the permittee regardless of size.

(c) Stump heights shall not exceed 12 inches on any side for trees 12 inches and over in diameter. The stump height shall not exceed the diameter of the tree for trees under 12 inches in diameter. This section applies in all instances with the exception of operations being conducted within sight of roadways, trails used by the public or fishing streams, where all stumps shall be cut even with the ground.

(d) No cutting of dead topped or other partially green trees will be permitted unless marked by the district ranger.

(e) Damage resulting to forest reproduction from deadwood operations shall be kept at a minimum. Any unnecessary damage to forest reproduction or green trees or any violation of the regulations in this part will, at the discretion of the superintendent, result in the cancellation of the permit and the forfeiture of all bonds given to guarantee the fulfillment of the contract, and all moneys theretofore paid by the permittee, as part of the purchase price or otherwise, shall be retained as liquidated damages.

(f) When products are susceptible of being classed at different prices they shall be paid for at the highest price.

(g) In every instance where trees are cut into more than one pole the butt pole shall be of the longest commercial length.

(h) When cedar trees cut for poles have butts which are not suitable for inclusion in the poles but are suitable for posts, such butt materials shall be worked into posts.

(i) All cedar timber cut for shakes shall be measured in board feet, using the Scribner "Decimal C" log rule.

(j) All sawlogs will be measured in board feet, using the Scribner "Decimal C" log rule.

(k) All fuel wood will be measured in cords.

(l) Brush disposal will be made in accordance with the provisions of § 22.3.

(m) Forest material obtained on a free permit must not be sold. The permittee must sign a statement to the effect that such forest material will not be sold to anyone and that it will not be used for the construction of buildings or other improvements on privately owned lands in Glacier National Park.

(n) Free permits will be issued for deadwood included in designated cleanup and fire hazard reduction areas where such operations will not interfere with National Park Service activities and will not adversely affect the vegetation or protection of the area.

(o) Permittees are subject to charge, in accordance with the approved price lists at the time of issuance of permits, for all wood obtained outside designated cleanup and fire hazard reduction areas.

(p) All wood cutting permits may be suspended when weather conditions, such as heavy snows or the sudden occurrence of periods of fire danger, or other conditions or considerations, make wood cutting operations undesirable for the best interests of the Government.

(q) All permittees are subject to the rules and regulations governing the use of Glacier National Park.

§ 22.3 Brush disposal.

(a) In no case will anyone attempt to burn brush without first securing a permit in writing from the district ranger in whose district the burning is to be done.

(b) All brush resulting from cutting of dead timber in green stands will be lopped and scattered so as to lie flat on the ground unless such disposal shall, in the judgment of the park officer in charge, increase the fire hazard, in which case such brush shall be piled and burned.

(c) All brush resulting from dead timber operations in old burns shall be piled and burned with care taken to avoid injury to reproduction. In some instances, upon the approval of the Chief Ranger or his representative, the disposal of such brush may be made by lopping and scattering.

(d) The piling of brush in large piles will be avoided, where possible, unless such piles are made in large openings in the forest cover.

(e) Piles to be burned in place, unless located in large openings in the forest cover, should not exceed 6 feet in diameter nor 5 feet in height. Windrow piling and burning shall be avoided and in no instance permitted without the approval of the Park Forester.

(f) Piles which are not to be burned in place shall be placed where they are readily accessible for moving.

(g) No piling shall be done on shoulders of roads or in ditches or along banks immediately adjacent to roads.

(h) All permittees will be required to furnish men to burn the brush and clean up the area at such a time as will be designated by the National Park Service.

(i) All permittees will be held accountable for their acts or the acts of their agents where regulations are disregarded.

(j) Permits issued for either green timber or deadwood products on road right-of-way clearing shall not be subject to brush-disposal regulations.

§ 22.4 Minimum price list for poles, posts, lumber, etc., cut from dead or down timber in Glacier National Park.

(a) Cedar products:

Cedar poles, 25 feet or less	½¢ per lineal ft.
Cedar poles, 30 feet or over	1¢ per lineal ft.
Cedar posts	$0.004 each.
Cedar stubs	1¢ per lineal ft.
Cedar shakes	$2 per M. B. M.
Cedar saw timber	$1 per M. B. M.

(b) Other products:

Cord wood	0.50¢ per cord.
Split posts (other species), 7-foot.	$0.002 each.
Poles (other than cedar)	¼¢ per lineal ft.
Saw timber, western white pine.	$2 per M. B. M.
Saw timber, other species	$1 per M. B. M.

§ 22.5 Concessioners.

All concessioners operating under existing agreements with the Secretary of the Interior will be subjected to the clauses covering the use of timber as provided in their respective agreements.

PART 25—NATIONAL MILITARY PARKS; LICENSED GUIDE SERVICE REGULATIONS

Sec.
25.1 Scope.
25.2 License.
25.3 Supervision; suspensions.
25.4 Schedule of rates.
25.5 Badges and uniforms.

AUTHORITY: §§ 25.1 to 25.5 issued under secs. 1–3, 39 Stat. 535, as amended, sec. 1, 47 Stat. 1420, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 9a. E.O. 6166, June 10, 1933, 5 U.S.C. 132 note.

§ 25.1 Scope.

The regulations in this part are made, prescribed and published for the regulation and maintenance of licensed guide service at all national military parks where such service has been established, or hereafter may be authorized in the discretion of the Secretary of the Interior upon the recommendation of the Director of the National Park Service.

§ 25.2 License.

(a) No person shall be pemitted to offer his services or to act as a guide unless licensed for that purpose by the superintendent. Any person desiring to become a licensed guide shall make application to the superintendent in writing for authority to take the examination for a license as guide.

(b) Guides shall be of good character, in good physical condition, honest, intelligent, tactful, and of good repute. They must be thoroughly familiar with the history of the events which the park commemorates and with the location of all memorials. It is their duty to escort visitors to the various parts of the park and point out different historical features. The story of the guides shall be limited to the historical outlines approved by the superintendent and shall be free from praise or censure.

(c) Examinations will be held at parks where a licensed guide service is authorized, at times to be designated by the Director of the National Park Service, for the purpose of securing a list of eligibles for such service. The examination will consist of an investigation of the character, reputation, intelligence, and ability of the applicants, and of questions designed to test their knowledge of the history of the battle, or features of historical interest, the markings of the park, the rules and regulations promulgated for the government of the park, and the regulations governing the guide service. Examination questions will be prepared under the direction of the Director of the National Park Service, who will likewise supervise the marking of examination papers and the rating of applicants.

(d) The names of applicants who successfully pass the examination will be placed on a list of eligibles and selected in accordance with their relative standing.

(e) Each person licensed to act as guide will be issued a license in the following form:

(Place)

(Date)

---, having successfully passed the examination prescribed for license, is hereby licensed to offer his service as a guide to visitors. This license is issued subject to the condition that the licensee shall comply with all the rules and regulations prescribed for guide service by the Secretary of the Interior and with the prescribed schedule of rates, copies of all of which have been furnished to him.

This license will be renewed at the expiration of one year from the date of issue, provided the rules above-mentioned have been fully complied with and services rendered satisfactorily.

Failure to act as a guide for any period exceeding 30 days between June 1 and August 31 automatically suspends this license. Renewal under these conditions will only be made following proper application to and approval by the park superintendent. During other times of heavy visitation, and especially on week ends and holidays, any and all guides are subject to call for duty unless excused by the park superintendent or his representative.

Superintendent
--- *National Military Park.*

(f) Before being issued a license to act as a guide, each applicant will be required to subscribe to the following agreement:

(Place)

(Date)

To Superintendent, --- *National Military Park.*

For and in consideration of the issuance to me a license to act as guide, I hereby accept and agree to observe fully the following conditions:

1. To abide by and observe the laws and all rules and regulations promulgated for the government of the park and for the regulation of guide service.

2. In case of difference of opinion as to the interpretation of any law, rule, or regulation, to accept the decision of the superintendent.

3. To accord proper respect to the park rangers in their enforcement of the rules and regulations.

4. To require drivers of all vehicles, while under my conduct, to observe the park rules and regulations.

5. To be watchful to prevent damage to, or destruction of, park property or acts of vandalism affecting monuments, buildings, fences, or natural features of the park; to report any such damage, destruction, or vandalism which I may observe to the nearest available ranger without delay, and to furnish him with all information in my possession tending to identify the offenders and assist in their apprehension and punishment.

6. To demand of visitors nor more than the authorized fees for guide service and, when employed, to render service to the best of my ability.

7. To advise visitors who employ me, in advance, the length of time needed for a trip and its cost and, if visitors desire a shortened tour, to arrange for such service as may suit their convenience.

8. (a) Not to operate for hire any passenger vehicle or other vehicle of any kind, while pursuing the vocation of guide or wearing a guide's badge or uniform.

(b) Not to operate a visitor's motor vehicle unless I hold a valid motor vehicle operator's license issued by the State in which the national military park is located.

(c) Not to charge an extra fee for operating a visitor's motor vehicle.

9. In the event my license should be suspended or revoked by the superintendent, to refrain from offering my services or pursuing the vocation of guide, pending appeal to and decision of the Director of the National Park Service.

10. To return the license and official badge without delay to the superintendent should my license be revoked or suspended for more than 5 days or upon abandoning the occupation of guide.

11. While wearing the badge of a guide or any uniform or part of a uniform indicating me to be a guide, I will not act as agent, solicitor, representative, or runner for any business or enterprise whatever (except in offering my services as a guide to visitors), nor solicit nor accept from any person, firm, association, or corporation any fee, commission, or gratuity for recommending their goods, wares, or services.

(Signed) ---

§ 25.3 Supervision; suspensions.

(a) The guide service will operate under the direction of the superintendent or his designated representative. Records will be kept of the efficiency of the guides and of all matters pertaining to the service.

(b) Superintendents are authorized to suspend any guide for violation of the regulations or for conduct prejudicial to the interests of the Government. A full report of the facts attending each suspension will be made to the Director of the National Park Service. The license of a guide who has been suspended indefinitely will not be renewed without the approval of the Director of the National Park Service.

§ 25.4 Schedule of rates.

As the conditions of each park differ with respect to the proper charge for the service rendered to the public, the schedule of rates for observance by the licensed guides at each separate park will be submitted to the Director of the National Park Service for approval. The superintendent will prepare itineraries arranged so as best to observe the different features of the battlefield and submit them with recommendations as to schedule of rates to the Director of the National Park Service for approval.

§ 25.5 Badges and uniforms.

Licensed guides will be furnished with official badges as evidence of their authority, which shall remain the property of the Government and be returned to the superintendent upon relinquishment or revocation of the license as a guide. Where conditions warrant it and its purchase would not prove a hardship on the guides, they may be required to adopt a standard uniform, to be procured at their own expense.

PART 26—OLYMPIC AND MOUNT RAINIER NATIONAL PARKS; TIMBER DISPOSAL REGULATIONS

Sec.

26.1 Disposal of logs, fuel wood, etc.; cutting of green timber.
26.2 Permits.
26.3 Timber disposal operations.
26.4 Prevention and suppression of forest fires.
26.5 Brush and debris disposal.
26.6 Minimum prices for logs, poles, etc.
26.7 Concessioners.

AUTHORITY: §§ 26.1 to 26.7 issued under secs. 1–3, 39 Stat. 535, as amended, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3.

§ 26.1 Disposal of logs, fuel wood, etc.; cutting of green timber.

The disposal of logs, fuel wood, poles, and other forest products in Olympic and Mount Rainier National Parks by timber disposal permits is permitted only where such disposal will be of benefit to the forest stand through the reduction of existing fire hazards, such as are caused by dead, down, or blowndown timber. In no instance will the cutting of green timber be permitted for private use except on road right-of-way clearing projects or in blowndown clearing projects where such timber may be made available.

§ 26.2 Permits.

(a) All timber disposal permits shall be issued and approved in writing by the superintendent's office prior to the initiation of any cutting activities. Such permits shall include a map designating the area to be cut. Application for such permits should be made to the superintendent.

(b) All timber disposal permits may be suspended when weather conditions or other considerations make timber disposal operations undesirable for the best interests of the Government.

(c) Permittees and their employees and agents shall at all times conform to all laws and regulations applicable to Olympic and Mount Rainier National Parks.

§ 26.3 Timber disposal operations.

(a) All Douglas fir, Sitka spruce, and western white pine logs are considered merchantable which are not less than 20 feet long, at least 12 inches in diameter inside bark at small end, and after deductions for visible indications of defect scale 33⅓ percent of their gross scale.

(b) All western red cedar logs, chunks, and slabs are considered merchantable which are not less than 20 feet long; such logs to be at least 12 inches in diameter inside bark at small end and chunks and slabs to be at least 12 inches minimum end measurement, which logs, chunks, and slabs, after deductions for visible indications of defects, scale 33⅓ percent of their gross scale in material which will make shingles of any merchantable grade.

(c) Logs of other species are considered merchantable which are not less than 20 feet long, 12 inches in diameter inside bark at small end, and scale 50 percent or more of their gross scale.

(d) All cordwood shall be utilized to a minimum diameter of 6 inches unless rotten.

(e) Stump heights under ordinary circumstances shall not exceed 24 inches on the side adjacent to the highest ground.

(f) No cutting of dead-topped or other partially green trees, except in windfalls, shall be permitted unless marked for cutting by the superintendent or his representative.

(g) Poles and piling shall be measured in lineal feet to the nearest 2-foot length.

(h) All cedar timber cut for shakes may be measured in board feet, using the Scribner "Decimal C" log rule, or may be measured by the number of shakes cut.

(i) All saw logs shall be scaled by the Scribner "Decimal C" log rule. The maximum scaling length for saw logs shall be 40 feet. Greater lengths shall be scaled as two or more logs. Eight inches shall be allowed for trimming, and on logs over 40 feet in length an additional 2 inches shall be allowed for each 10 feet in length or fraction thereof in excess of 40 feet.

(j) Fuel wood and split pulpwood shall be measured in cords.

(k) Damage resulting to forest reproduction or remaining trees shall be kept to a minimum in all timber disposal operations. Any unnecessary damage to forest reproduction, remaining timber, or other ground cover, or the violation of any provision of the regulations in this part will, at the discretion of the superintendent, result in the cancellation of the permit. In the event of cancellation of the permit, all bonds given to guarantee the fulfillment of the terms of the permit shall be forfeited, and all moneys theretofore paid by the permittee as a part of the purchase price or otherwise may be retained as liquidated damages.

§ 26.4 Prevention and suppression of forest fires.

(a) Permittee shall independently do all in his power to prevent and suppress forest fires on the timber disposal area and its vicinity, and shall also require his employees and agents to do likewise. The permittee and his employees and agents shall, so long as the timber disposal permit remains effective, fight forest fires which may occur within the timber disposal permit area, or occur elsewhere as a result of the permittee's operations, independently or under the direction of a park officer, without recompense from the Government.

(b) During periods of fire danger, as designated by the superintendent, the permittee shall prohibit smoking and the building of fires by his employees and agents.

(c) Fire fighting tools and equipment as specified by the superintendent at the time of the issuance of the permit shall be kept in suitable caches by the permittee at points designated by the superintendent, and shall be used only for the suppression of forest fires within or threatening the timber disposal area.

§ 26.5 Brush and debris disposal.

(a) In no case will anyone attempt to burn brush or other debris without first obtaining a permit in writing from the superintendent.

(b) All debris resulting from cutting dead timber in green stands will be lopped or scattered so as to lie flat on the ground unless such disposal will, in the judgment of the superintendent, constitute a serious fire hazard, in which case such debris shall be piled and burned.

(c) All debris resulting from timber operations in old burns shall be piled and burned, with care taken to avoid injury to reproduction. In some instances, upon approval of the superintendent or his representative, the disposal of such debris may be made by lopping and scattering.

(d) The piling of debris in large piles shall be avoided, where possible, unless such piles are made in large openings in the forest cover.

(e) Piles of debris to be burned in place, unless located in large openings in the forest cover, shall not exceed 6 feet in diameter and 5 feet in height.

(f) Burning other than in piles may be permitted by the superintendent where, in his judgment, other methods are the most practicable.

(g) Piles which are not to be burned in place shall be placed where they are readily accessible for moving.

(h) No piling shall be done on shoulders of roads or in ditches or along banks immediately adjacent to roads.

(i) All permittees will be required to furnish men to burn brush or logging slash and clean up the area to the satisfaction of and at a time designated by the superintendent.

(j) Permits issued either for green timber or deadwood products on road rights-of-way clearing projects may, in the discretion of the superintendent, be exempted from the provisions of this section.

§ 26.6 Minimum prices for logs, poles, etc.

(a) Saw timber:

	Per M.B.F.
Douglas fir	$0.50
Sitka spruce	.50
Western red cedar	.50
Western white pine	.50
Western hemlock	.25
Silver fir	.25
Other species	.25

(b) Other products:

Douglas fir piling	$0.0025 per lineal foot.
Western red cedar poles	$0.0025 per lineal foot.
Western red cedar shakes	$0.50 per M shake.
Fuel wood	$0.25 per cord.
Split pulpwood, hemlock	$0.25 per cord.
Split pulpwood, spruce	$0.25 per cord.

Provided, That free permits may be issued for timber included in designated cleanup and fire hazard reduction areas where such operations will not interfere with National Park Service activities and will not adversely affect the vegetation or protection of the area. Such permittees are, however, subject to charge at double the minimum rates in effect at the time of issuance of the permits for all wood obtained outside designated cleanup and fire hazard reduction areas. Such charge will be considered as the price of the wood and also as liquidated damages.

PART 25—NATIONAL MILITARY PARKS; LICENSED GUIDE SERVICE REGULATIONS

Sec.
25.1 Scope.
25.2 License.
25.3 Supervision; suspensions.
25.4 Schedule of rates.
25.5 Badges and uniforms.

AUTHORITY: §§ 25.1 to 25.5 issued under secs. 1–3, 39 Stat. 535, as amended, sec. 1, 47 Stat. 1420, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 9a. E.O. 6166, June 10, 1933, 5 U.S.C. 132 note.

§ 25.1 Scope.

The regulations in this part are made, prescribed and published for the regulation and maintenance of licensed guide service at all national military parks where such service has been established, or hereafter may be authorized in the discretion of the Secretary of the Interior upon the recommendation of the Director of the National Park Service.

§ 25.2 License.

(a) No person shall be pemitted to offer his services or to act as a guide unless licensed for that purpose by the superintendent. Any person desiring to become a licensed guide shall make application to the superintendent in writing for authority to take the examination for a license as guide.

(b) Guides shall be of good character, in good physical condition, honest, intelligent, tactful, and of good repute. They must be thoroughly familiar with the history of the events which the park commemorates and with the location of all memorials. It is their duty to escort visitors to the various parts of the park and point out different historical features. The story of the guides shall be limited to the historical outlines approved by the superintendent and shall be free from praise or censure.

(c) Examinations will be held at parks where a licensed guide service is authorized, at times to be designated by the Director of the National Park Service, for the purpose of securing a list of eligibles for such service. The examination will consist of an investigation of the character, reputation, intelligence, and ability of the applicants, and of questions designed to test their knowledge of the history of the battle, or features of historical interest, the markings of the park, the rules and regulations promulgated for the government of the park, and the regulations governing the guide service. Examination questions will be prepared under the direction of the Director of the National Park Service, who will likewise supervise the marking of examination papers and the rating of applicants.

(d) The names of applicants who successfully pass the examination will be placed on a list of eligibles and selected in accordance with their relative standing.

(e) Each person licensed to act as guide will be issued a license in the following form:

(Place)

(Date)

----------, having successfully passed the examination prescribed for license, is hereby licensed to offer his service as a guide to visitors. This license is issued subject to the condition that the licensee shall comply with all the rules and regulations prescribed for guide service by the Secretary of the Interior and with the prescribed schedule of rates, copies of all of which have been furnished to him.

This license will be renewed at the expiration of one year from the date of issue, provided the rules above-mentioned have been fully complied with and services rendered satisfactorily.

Failure to act as a guide for any period exceeding 30 days between June 1 and August 31 automatically suspends this license. Renewal under these conditions will only be made following proper application to and approval by the park superintendent. During other times of heavy visitation, and especially on week ends and holidays, any and all guides are subject to call for duty unless excused by the park superintendent or his representative.

Superintendent
---------- *National Military Park.*

(f) Before being issued a license to act as a guide, each applicant will be required to subscribe to the following agreement:

(Place)

(Date)

To Superintendent, ---------- *National Military Park.*

For and in consideration of the issuance to me a license to act as guide, I hereby accept and agree to observe fully the following conditions:

1. To abide by and observe the laws and all rules and regulations promulgated for the government of the park and for the regulation of guide service.

2. In case of difference of opinion as to the interpretation of any law, rule, or regulation, to accept the decision of the superintendent.

3. To accord proper respect to the park rangers in their enforcement of the rules and regulations.

4. To require drivers of all vehicles, while under my conduct, to observe the park rules and regulations.

5. To be watchful to prevent damage to, or destruction of, park property or acts of vandalism affecting monuments, buildings, fences, or natural features of the park; to report any such damage, destruction, or vandalism which I may observe to the nearest available ranger without delay, and to furnish him with all information in my possession tending to identify the offenders and assist in their apprehension and punishment.

6. To demand of visitors nor more than the authorized fees for guide service and, when employed, to render service to the best of my ability.

7. To advise visitors who employ me, in advance, the length of time needed for a trip and its cost and, if visitors desire a shortened tour, to arrange for such service as may suit their convenience.

8. (a) Not to operate for hire any passenger vehicle or other vehicle of any kind, while pursuing the vocation of guide or wearing a guide's badge or uniform.

(b) Not to operate a visitor's motor vehicle unless I hold a valid motor vehicle operator's license issued by the State in which the national military park is located.

(c) Not to charge an extra fee for operating a visitor's motor vehicle.

9. In the event my license should be suspended or revoked by the superintendent, to refrain from offering my services or pursuing the vocation of guide, pending appeal to and decision of the Director of the National Park Service.

10. To return the license and official badge without delay to the superintendent should my license be revoked or suspended for more than 5 days or upon abandoning the occupation of guide.

11. While wearing the badge of a guide or any uniform or part of a uniform indicating me to be a guide, I will not act as agent, solicitor, representative, or runner for any business or enterprise whatever (except in offering my services as a guide to visitors), nor solicit nor accept from any person, firm, association, or corporation any fee, commission, or gratuity for recommending their goods, wares, or services.

(Signed) ----------

§ 25.3 Supervision; suspensions.

(a) The guide service will operate under the direction of the superintendent or his designated represcntative. Records will be kept of the efficiency of the guides and of all matters pertaining to the service.

(b) Superintendents are authorized to suspend any guide for violation of the regulations or for conduct prejudicial to the interests of the Government. A full report of the facts attending each suspension will be made to the Director of the National Park Service. The license of a guide who has been suspended indefinitely will not be renewed without the approval of the Director of the National Park Service.

§ 25.4 Schedule of rates.

As the conditions of each park differ with respect to the proper charge for the service rendered to the public, the schedule of rates for observance by the licensed guides at each separate park will be submitted to the Director of the National Park Service for approval. The superintendent will prepare itineraries arranged so as best to observe the different features of the battlefield and submit them with recommendations as to schedule of rates to the Director of the National Park Service for approval.

§ 25.5 Badges and uniforms.

Licensed guides will be furnished with official badges as evidence of their authority, which shall remain the property of the Government and be returned to the superintendent upon relinquishment or revocation of the license as a guide. Where conditions warrant it and its purchase would not prove a hardship on the guides, they may be required to adopt a standard uniform, to be procured at their own expense.

PART 26—OLYMPIC AND MOUNT RAINIER NATIONAL PARKS; TIMBER DISPOSAL REGULATIONS

Sec.

26.1 Disposal of logs, fuel wood, etc.; cutting of green timber.
26.2 Permits.
26.3 Timber disposal operations.
26.4 Prevention and suppression of forest fires.
26.5 Brush and debris disposal.
26.6 Minimum prices for logs, poles, etc.
26.7 Concessioners.

AUTHORITY: §§ 26.1 to 26.7 issued under secs. 1–3, 39 Stat. 535, as amended, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3.

§ 26.1 Disposal of logs, fuel wood, etc.; cutting of green timber.

The disposal of logs, fuel wood, poles, and other forest products in Olympic and Mount Rainier National Parks by timber disposal permits is permitted only where such disposal will be of benefit to the forest stand through the reduction of existing fire hazards, such as are caused by dead, down, or blowndown timber. In no instance will the cutting of green timber be permitted for private use except on road right-of-way clearing projects or in blowndown clearing projects where such timber may be made available.

§ 26.2 Permits.

(a) All timber disposal permits shall be issued and approved in writing by the superintendent's office prior to the initiation of any cutting activities. Such permits shall include a map designating the area to be cut. Application for such permits should be made to the superintendent.

(b) All timber disposal permits may be suspended when weather conditions or other considerations make timber disposal operations undesirable for the best interests of the Government.

(c) Permittees and their employees and agents shall at all times conform to all laws and regulations applicable to Olympic and Mount Rainier National Parks.

§ 26.3 Timber disposal operations.

(a) All Douglas fir, Sitka spruce, and western white pine logs are considered merchantable which are not less than 20 feet long, at least 12 inches in diameter inside bark at small end, and after deductions for visible indications of defect scale 33⅓ percent of their gross scale.

(b) All western red cedar logs, chunks, and slabs are considered merchantable which are not less than 20 feet long; such logs to be at least 12 inches in diameter inside bark at small end and chunks and slabs to be at least 12 inches minimum end measurement, which logs, chunks, and slabs, after deductions for visible indications of defects, scale 33⅓ percent of their gross scale in material which will make shingles of any merchantable grade.

(c) Logs of other species are considered merchantable which are not less than 20 feet long, 12 inches in diameter inside bark at small end, and scale 50 percent or more of their gross scale.

(d) All cordwood shall be utilized to a minimum diameter of 6 inches unless rotten.

(e) Stump heights under ordinary circumstances shall not exceed 24 inches on the side adjacent to the highest ground.

(f) No cutting of dead-topped or other partially green trees, except in windfalls, shall be permitted unless marked for cutting by the superintendent or his representative.

(g) Poles and piling shall be measured in lineal feet to the nearest 2-foot length.

(h) All cedar timber cut for shakes may be measured in board feet, using the Scribner "Decimal C" log rule, or may be measured by the number of shakes cut.

(i) All saw logs shall be scaled by the Scribner "Decimal C" log rule. The maximum scaling length for saw logs shall be 40 feet. Greater lengths shall be scaled as two or more logs. Eight inches shall be allowed for trimming, and on logs over 40 feet in length an additional 2 inches shall be allowed for each 10 feet in length or fraction thereof in excess of 40 feet.

(j) Fuel wood and split pulpwood shall be measured in cords.

(k) Damage resulting to forest reproduction or remaining trees shall be kept to a minimum in all timber disposal operations. Any unnecessary damage to forest reproduction, remaining timber, or other ground cover, or the violation of any provision of the regulations in this part will, at the discretion of the superintendent, result in the cancellation of the permit. In the event of cancellation of the permit, all bonds given to guarantee the fulfillment of the terms of the permit shall be forfeited, and all moneys theretofore paid by the permittee as a part of the purchase price or otherwise may be retained as liquidated damages.

§ 26.4 Prevention and suppression of forest fires.

(a) Permittee shall independently do all in his power to prevent and suppress forest fires on the timber disposal area and its vicinity, and shall also require his employees and agents to do likewise. The permittee and his employees and agents shall, so long as the timber disposal permit remains effective, fight forest fires which may occur within the timber disposal permit area, or occur elsewhere as a result of the permittee's operations, independently or under the direction of a park officer, without recompense from the Government.

(b) During periods of fire danger, as designated by the superintendent, the permittee shall prohibit smoking and the building of fires by his employees and agents.

(c) Fire fighting tools and equipment as specified by the superintendent at the time of the issuance of the permit shall be kept in suitable caches by the permittee at points designated by the superintendent, and shall be used only for the suppression of forest fires within or threatening the timber disposal area.

§ 26.5 Brush and debris disposal.

(a) In no case will anyone attempt to burn brush or other debris without first obtaining a permit in writing from the superintendent.

(b) All debris resulting from cutting dead timber in green stands will be lopped or scattered so as to lie flat on the ground unless such disposal will, in the judgment of the superintendent, constitute a serious fire hazard, in which case such debris shall be piled and burned.

(c) All debris resulting from timber operations in old burns shall be piled and burned, with care taken to avoid injury to reproduction. In some instances, upon approval of the superintendent or his representative, the disposal of such debris may be made by lopping and scattering.

(d) The piling of debris in large piles shall be avoided, where possible, unless such piles are made in large openings in the forest cover.

(e) Piles of debris to be burned in place, unless located in large openings in the forest cover, shall not exceed 8 feet in diameter and 5 feet in height.

(f) Burning other than in piles may be permitted by the superintendent where, in his judgment, other methods are the most practicable.

(g) Piles which are not to be burned in place shall be placed where they are readily accessible for moving.

(h) No piling shall be done on shoulders of roads or in ditches or along banks immediately adjacent to roads.

(i) All permittees will be required to furnish men to burn brush or logging slash and clean up the area to the satisfaction of and at a time designated by the superintendent.

(j) Permits issued either for green timber or deadwood products on road rights-of-way clearing projects may, in the discretion of the superintendent, be exempted from the provisions of this section.

§ 26.6 Minimum prices for logs, poles, etc.

(a) Saw timber:

	Per M. B. F.
Douglas fir	$0.50
Sitka spruce	.50
Western red cedar	.50
Western white pine	.50
Western hemlock	.25
Silver fir	.25
Other species	.25

(b) Other products:

Douglas fir piling	$0.0025 per lineal foot.
Western red cedar poles	$0.0025 per lineal foot.
Western red cedar shakes	$0.50 per M shake.
Fuel wood	$0.25 per cord.
Split pulpwood, hemlock	$0.25 per cord.
Split pulpwood, spruce	$0.25 per cord.

Provided, That free permits may be issued for timber included in designated cleanup and fire hazard reduction areas where such operations will not interfere with National Park Service activities and will not adversely affect the vegetation or protection of the area. Such permittees are, however, subject to charge at double the minimum rates in effect at the time of issuance of the permits for all wood obtained outside designated cleanup and fire hazard reduction areas. Such charge will be considered as the price of the wood and also as liquidated damages.

(c) All forest products sold by the Government will be measured or scaled by a park officer or individual designated by the superintendent, either on the site of the cutting operations or at some other point designated by the superintendent.

(d) Forest products obtained on a free permit shall not be sold. The permittee must sign a statement to the effect that such products will not be sold to anyone and will not be used for the construction of buildings or other improvements on privately owned lands in Olympic and Mount Rainier National Parks.

§ 26.7 Concessioners.

All concessioners operating under agreements with the Secretary of the Interior will be governed by the clauses covering the use of timber as provided in their respective agreements.

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